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THE NATIONAL ARCHIVES  
LITTEA SCRIPTA MANET  
1934  
OF THE UNITED STATES

# FEDERAL REGISTER

VOLUME 9 NUMBER 230

Washington, Friday, November 17, 1944

### The President

#### PROCLAMATION 2631

##### SPECIFICATION OF THE TERMINATION DATE AS PROVIDED IN THE RENEGOTIATION ACT

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA  
A PROCLAMATION

WHEREAS subsection (h) of the Renegotiation Act (section 403, as amended, of the Sixth Supplemental National Defense Appropriation Act, 1942, approved April 28, 1942 (56 Stat. 226, 245), as amended by section 701 of the Revenue Act of 1943, enacted February 25, 1944 (58 Stat. 26, 78)), provides in part:

This section shall apply only with respect to profits derived from contracts with the Departments and subcontracts which are attributable to performance prior to the termination date. For the purposes of this subsection—

(2) The term "termination date" means—  
(A) December 31, 1944; or

(B) If the President not later than December 1, 1944, finds and by proclamation declares that competitive conditions have not been restored, such date not later than June 30, 1945, as may be specified by the President in such proclamation as the termination date

except that in no event shall the termination date extend beyond the date proclaimed by the President as the date of termination of hostilities in the present war, or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier;

AND WHEREAS hostilities in the present war have not terminated, and the continued necessity of devoting a very large proportion of the production of the nation to the successful prosecution of the present war has prevented the restoration of competitive conditions:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the statutory provisions above set out, (1) do

hereby find and declare that competitive conditions have not been restored; and (2) do hereby specify June 30, 1945, as the termination date within the meaning of subsection (h) of the Renegotiation Act.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 14th day of November in the year of our Lord nineteen hundred and [SEAL] forty four, and of the Independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D ROOSEVELT

By the President:

E. R. STETTINIUS, Jr.,  
Acting Secretary of State.

[F. R. Doc. 44-17571; Filed, Nov. 16, 1944; 11:45 a. m.]

### Regulations

#### TITLE 7—AGRICULTURE

##### Chapter VII—War Food Administration (Agricultural Adjustment)

###### PART 722—COTTON

##### COTTON MARKETING QUOTAS FOR 1945—46 MARKETING YEAR AND NATIONAL, STATE, COUNTY AND FARM COTTON ALLOTMENTS FOR 1945

Whereas, the Agricultural Adjustment Act of 1938, as amended, provides for the proclamation of certain data concerning the supply and consumption requirements requisite to the establishment of a national allotment for cotton and marketing quotas for cotton, and

Whereas, said act further provides that the powers therein granted shall not be used to discourage the production of sufficient supplies of foods and fibers to maintain normal domestic consumption, taking into consideration current trends in consumption and export and the quan-

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Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

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#### NOTICE

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- Book 1: Titles 1-3 (Presidential documents) with tables and index.
- Book 2: Titles 4-9, with index.
- Book 3: Titles 10-17, with index.
- Book 4: Titles 18-25, with index.
- Book 5, Part 1: Title 26, Parts 2-178.
- Book 5, Part 2: Title 26, completed; Title 27; with index.
- Book 6: Titles 28-32, with index.
- Book 7: Titles 33-45, with index.
- Book 8: Title 46, with index.

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titles of substitutes available at fair prices, and

Whereas, said act further provides that quotas shall be terminated if it is determined that such action is necessary in order to effectuate the declared policy of the act or to meet a national emergency, and

Whereas, an investigation has been made which reveals that it is necessary, in order to meet the present emergency and to effectuate the declared policy of the act, to dispense with marketing quotas for cotton for the marketing year beginning August 1, 1945, and with national, State, county and farm acreage allotments for cotton for the 1945 crop.

Now, therefore, pursuant to the foregoing authority and in accordance with Executive Order 9322, as amended by Executive Order 9334, it is hereby determined and proclaimed that:

§ 722.601 *Findings and determinations.* In order to meet the national emergency and to effectuate the declared policy of the act, cotton marketing quotas will not be in effect with respect to the marketing year beginning August 1, 1945, and no national, State, county or farm acreage allotments for cotton for the 1945 crop will be established under the provisions of Title III of the Agricultural Adjustment Act of 1938, as amended.

(32 Stat. 38, 45, 56, 58, 64, 203; 33 Stat. 1125; 7 U.S.C. 1940 ed. 1301, 1304, 1342, 1343, 1345, 1372; E.O. 9322, March 26, 1943, as amended by E.O. 9334, April 19, 1943)

Issued at Washington, D. C., this 15th day of November 1944.

MARVIN JONES,  
War Food Administrator.

[F. R. Doc. 44-17515; Filed, Nov. 15, 1944; 3:38 p. m.]

#### Chapter XI—War Food Administration (Distribution Orders)

[WFO 4-7, Amdt. 4]

#### PART 1450—TOBACCO

##### 1944 CROP FLUE-CURED TOBACCO

Pursuant to War Food Order No. 4, as amended (8 F.R. 335, 11331; 9 F.R. 4321, 4319, 9584), and to effectuate the purposes of such order, as amended, War Food Order No. 4-7, as amended (9 F.R. 8231, 10147, 11732, 12861), relating to the 1944 crop of flue-cured tobacco is hereby further amended as follows:

(1) By deleting therefrom the term "102.5 percent" in § 1450.7 (b) (2) and

inserting, in lieu thereof, the term "101.5 percent."

(2) By deleting therefrom the term "147 percent" in § 1450.7 (b) (4) and inserting, in lieu thereof, the term "146 percent."

The provisions in this amendment shall become effective at 12:01 a. m., e. w. t., November 16, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 4-7, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 4-7, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 4, as amended, 8 F.R. 335, 11331; 9 F.R. 4321, 4319, 9584)

Issued this 14th day of November 1944.

C. W. KITCHEN,  
Acting Director of Distribution.

[F. R. Doc. 44-17508; Filed, Nov. 15, 1944;  
2:41 p. m.]

[WFO 73, Amdt. 4]

#### PART 1598—GENERAL REGULATIONS

##### CONTRACT SCHOOLS, MARINE HOSPITALS, AND MARITIME ACADEMIES PERMITTED TO BUY SET ASIDE AND RESTRICTED FOOD

Paragraph (e) of War Food Order No. 73, as amended (8 F.R. 7523, 13879, 15655, 9 F.R. 4319, 10036), is hereby amended to read as follows:

(e) *Purchases from intermediate distributors.* A contract school, marine hospital, or maritime academy may purchase set aside and restricted food indirectly through jobbers, wholesalers, or other intermediate distributors. Where such purchases are made, the intermediate distributor shall make copies of the certificate provided in paragraphs (b), (c), and (d) hereof, certified by him to be correct, and shall retain such copies in his records. Any person may sell to any intermediate distributor quantities of set aside food or restricted foods covered by the original certificate furnished to him by the intermediate distributor, who has endorsed his name and address upon it, and may treat such sales in the same manner as sales made directly to a contract school, marine hospital, or maritime academy.

This amendment shall be effective December 1, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 73, as amended, prior to the effective date of this amendment, all provisions of said War Food Order No. 73, as amended, in effect prior to this amendment, shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding

with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 15th day of November 1944.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 44-17514; Filed, Nov. 15, 1944;  
3:40 p. m.]

[WFO 25, Amdt. 2]

#### PART 1433—COCOA BEANS

##### CONSERVATION AND DISTRIBUTION OF COCOA BEANS AND COCOA BEAN PRODUCTS

War Food Order No. 25, as amended (8 F.R. 2529, 9 F.R. 4321, 4319, 9584), is further amended as follows:

1. By adding, after § 1433.1 (b) (5), a new paragraph reading as follows:

(6) No processor of cocoa beans shall sell any product resulting from the processing of cocoa beans to any manufacturer of confectionery or other food products for use in filling orders to quota-exempt agencies, as defined in (b) (4) hereof, unless and until the buyer or his authorized agent has certified to the processor in writing that (i) he will not offer to resell, or resell, any product resulting from the processing of cocoa beans obtained by him at any time from any processor, except in the form of confectionery or other food products ready for retail distribution, and (ii) his inventory of the particular product resulting from the processing of cocoa beans does not exceed the amount of such product needed for all his manufacturing purposes during the next ensuing 60 days. The failure of any such buyer to comply with any of the conditions set forth in the certificate, or the making by him of any false statement in the certificate, shall be a violation of this order.

2. By renumbering (6), (7), (8), and (9) of § 1433.1 (b), following (6) set forth in the amendment above, so as to read, respectively, (7), (8), (9), and (10).

This amendment shall become effective at 12:01 a. m., e. w. t., November 16, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 25, as amended, prior to the effective time of the provisions hereof, the provisions of the said War Food Order No. 25, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 16th day of November 1944.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 44-17543; Filed, Nov. 16, 1944;  
11:17 a. m.]

## TITLE 8—ALIENS AND NATIONALITY

### Chapter II—Office of Alien Property Custodian

[Gen. Order 21, as amended]

#### PART 503—GENERAL ORDERS

##### EXTENSION OF TIME FOR FILING NOTICES OF CLAIM UNDER VESTING ORDERS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, determining that it is in the national interest to extend the time for filing notices of claim under vesting orders as herein-after set forth, and that adherence to a period of limitation expiring prior to April 1, 1945, may cause undue hardship or inequity to claimants, hereby further amends General Order No. 21 to read as follows:

§ 503.21 *Extension of time for filing notices of claim under vesting orders.*

(a) Without limitation by reason of any provision as to a specified claim period in any vesting order heretofore issued, any person, except a national of a designated enemy country, asserting any claim arising as a result of a vesting order, may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, at any time up to and including April 1, 1945, or within such further time as may be provided in any such order or on application or otherwise.

(b) The term "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

(40 Stat. 411, 50 U.S.C. App.; 55 Stat. 839, 50 U.S.C. App. (Supp.); E.O. 9193, 7 F.R. 5205)

Executed at Washington, D. C., on November 15, 1944.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 44-17542; Filed, Nov. 16, 1944;  
11:11 a. m.]

## TITLE 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket No. 5019]

#### PART 3—DIGEST OF CEASE AND DESIST ORDERS

ROBERT M. CALVERT AND RALPH D. WESTER

§ 3.6 (b) *Advertising falsely or misleadingly—Qualities or properties of product or service: § 3.96 (a) Using misleading name—Goods—Qualities or properties.* In connection with the offering for sale, sale, and distribution in commerce, of respondents' incense, powders, oils, stones, or any other article or substance, (1) representing, directly or by implication, that any of respondents' products possess any mystic, magical, or supernatural power; (2) representing, directly or by implication, that any of re-

[Docket No. 5080]

## PART 3—DIGEST OF CEASE AND DESIST ORDERS

C. I. TOGSTAD CO., ET AL.

spondents' products will bring to the user good luck, health, success, wealth, prosperity, happiness, or love; (3) representing, directly or by implication, that any of respondents' products will enable the user to solve any problem with which he may be confronted; or (4) using the words "lucky" or "magic," or any other word of similar import, to designate, describe, or refer to any of respondents' products; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Robert M. Calvert, et al., Docket 5019, September 29, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 29th day of September, A. D. 1944.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, testimony and other evidence taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, and briefs in support of and in opposition to the complaint (oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Robert M. Calvert and Ralph D. Wester, individually and trading as African Specialty Company and West African Specialty Company, or trading under any other name, and their agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondents' incense, powders, oils, stones, or any other article or substance, do forthwith cease and desist from:

1. Representing, directly or by implication, that any of respondents' products possesses any mystic, magical, or supernatural power.

2. Representing, directly or by implication, that any of respondents' products will bring to the user good luck, health, success, wealth, prosperity, happiness, or love.

3. Representing, directly or by implication, that any of respondents' products will enable the user to solve any problem with which he may be confronted.

4. Using the word "lucky" or "magic," or any other word of similar import, to designate, describe, or refer to any of respondents' products.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 44-17551; Filed, Nov. 16, 1944; 11:42 a. m.]

§ 3.6 (a10) Advertising falsely or misleadingly—Comparative data or merits: § 3.6 (f) Advertising falsely or misleadingly—Demand or business opportunities: § 3.6 (t) Advertising falsely or misleadingly—Qualities or properties of product or service: § 3.6 (y) Advertising falsely or misleadingly—Safety: § 3.71 (e) Neglecting, unfairly or deceptively, to make material disclosure—Safety: § 3.80 (b) Securing agents or representatives falsely or misleadingly—Demand or business opportunities. In connection with the offering for sale, sale, and distribution of the product "Dip-Clean," or any other product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or any other name, in commerce, representing, directly or by implication, (1) that said product will take the place of soap or that it is an efficient substitute for soap; (2) that it is unnecessary to rinse articles which have been dipped in a solution containing said product, without disclosing that failure to do so may result in damage to such articles; (3) that said product will not cause colors to run or fade; (4) that said product will not harm fabrics, without disclosing that a strong solution of said product may damage silk or wool; (5) that said product will remove soiled spots and stains from garments and fabrics, unless such representation is accurately qualified; or (6) that sellers of said product have no competition from products offered for the same or similar purposes by others; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, The C. I. Togstad Company, et al., Docket 5080, September 29, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 29th day of September, A. D. 1944.

In the Matter of Vera P. Williams, an Individual Trading and Doing Business as The C. I. Togstad Company; and L. O. Williams, Individually and as General Manager of Vera P. Williams, Doing Business as The C. I. Togstad Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the substitute answer of respondents, in which answer respondents admitted all the material allegations of fact set forth in said complaint and waived all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondents Vera P. Williams, an individual, trading as The C. I. Togstad Company, or under any other name, and L. O. Williams, individually, or as general manager of Vera P. Williams, trading as The C. I. Togstad Company, or under any other name,

jointly or severally, their representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of the product "Dip-Clean," or any other product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or any other name, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication:

1. That said product will take the place of soap or that it is an efficient substitute for soap.

2. That it is unnecessary to rinse articles which have been dipped in a solution containing said product, without disclosing that failure to do so may result in damage to such articles.

3. That said product will not cause colors to run or fade.

4. That said product will not harm fabrics, without disclosing that a strong solution of said product may damage silk or wool.

5. That said product will remove soiled spots and stains from garments and fabrics, unless such representation is accurately qualified.

6. That sellers of said product have no competition from products offered for the same or similar purposes by others.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 44-17552; Filed, Nov. 16, 1944; 11:42 a. m.]

## TITLE 30—MINERAL RESOURCES

## Chapter I—Bureau of Mines, Department of the Interior

## Subchapter E—Mechanical Equipment for Mines, Tests for Permissibility, Fees

[Schedule 22]

## PART 31—DIESEL MINE LOCOMOTIVES

Preliminary statement: The Bureau of Mines is prepared at its Central Experiment Station, Pittsburgh, Pa., to conduct tests of mine locomotives powered by Diesel engines, for the purpose of determining their permissibility for use in coal mines and other underground operations where inflammable gases and dusts may be encountered.

The authority for conducting such investigations is contained in an act of Congress (37 Stat. 681) approved February 25, 1913, and amended June 30, 1932 (47 Stat. 410), and in Executive Order 6611, February 22, 1934. The act, as amended, and as modified by the Executive order, contains the following provisions in regard to fees charged for investigations by the Bureau of Mines:

For tests or investigations authorized by the Secretary of the Interior under the pro-

visions of this Act, as amended and supplemented, except those performed for the Government of the United States, or State governments within the United States, a fee sufficient in each case to compensate the Bureau of Mines for the entire cost of the services rendered shall be charged according to a schedule prepared by the Director of the Bureau of Mines and approved by the Secretary of the Interior, who shall prescribe rules and regulations under which such tests and investigations may be made. All monies received from such sources shall be paid into the Treasury to the credit of miscellaneous receipts.

This document, consisting of §§ 31.1 to 31.10, inclusive, is Schedule 22.

Sec.

- 31.1 Type of locomotive that may be approved.
- 31.2 Definitions.
- 31.3 Conditions under which approvals may be granted: Preliminary steps.
- 31.4 General requirements.
- 31.5 Methods of testing.
- 31.6 Granting of approval.
- 31.7 Withdrawal of approval.
- 31.8 Changes in design subsequent to approval.
- 31.9 Recommendations on the use of Diesel locomotives underground.
- 31.10 Revision of requirements and recommendations.

**AUTHORITY:** §§ 31.1 to 31.10, inclusive, issued under 37 Stat. 681, as amended by sec. 311, 47 Stat. 410, 30 U. S. C. 1, 3, 5, 6, 7, and Executive Order 6611, February 22, 1934.

§ 31.1 *Type of locomotive that may be approved.* Safe operation of Diesel locomotives underground involves consideration of three possible hazards, namely (a) toxic or objectionable gases discharged in the exhaust of the engine, (b) ignition of methane-air mixtures by the engine or by electrical equipment, and (c) fire hazards presented by the engine fuel oil and by coal dust or other combustible material in contact with the locomotive. Locomotives for use in coal mines, or other situations where inflammable atmospheres may be encountered, will be granted approval when proved by test to offer adequate protection against all these hazards.

§ 31.2 *Definitions.* For the sake of brevity and clearness certain terms will be used throughout this Part 31 and their definitions as thus used follow:

(a) *Adequate.* Appropriate and sufficient as determined by mutual agreement between the manufacturer and the Bureau of Mines.

(b) *Approval.* Official, formal written notification issued only by the Director of the Bureau of Mines to a responsible organization, stating that upon investigation the locomotive is judged to have satisfactorily complied with the requirements of this Part 31. (Approvals will be granted for complete locomotives only, and not for engines and other individual parts used in the assembly of such locomotives.)

(c) *Explosion-proof.* So constructed that the enclosing case is capable of withstanding internal explosions of methane-air mixtures without damage to the case or discharge of flame and without ignition of explosive methane-air mixtures surrounding the enclosing case.

(d) *Extension of approval.* Official written notification from the Bureau of Mines to the locomotive manufacturer, by which the latter is authorized to make changes in permissible locomotives after the changes have been duly examined, accepted, and recorded by the Bureau.

(e) *Flame arrester.* A device so constructed that flames or sparks from the engine cannot propagate an explosion of methane-air mixtures through it.

(f) *Normal operation.* The performance by each part of the locomotive of those functions for which each part was designed.

(g) *Permissible.* Formally approved by the Bureau of Mines. This term shall apply only to completely assembled locomotives identified by an approval plate.

(h) *Toxic and objectionable gases.* Toxic and objectionable gases present in the exhaust of Diesel engines are carbon monoxide, oxides of nitrogen, carbon dioxide, and aldehydes. The exhaust also will contain oxides of sulfur if the fuel contains sulfur.

(i) *Fuel: air ratio.* The ratio of fuel to air present in the combustion space of the engine, expressed in terms of weight, as pound of fuel per pound of air. Fuel: air ratio at any operating condition may be calculated from the composition of the exhaust gas and of the fuel.

(j) *Gas-air mixtures, explosive mixtures, inflammable mixtures, or inflammable atmospheres.* These terms refer to such mixtures created by mixing natural gas with normal air. Natural gas that will be used by the Bureau of Mines in testing Diesel mine locomotives consists chiefly of methane, with smaller proportions of higher hydrocarbons and approximately 1 percent of nitrogen.

§ 31.3 *Conditions under which approvals may be granted: Preliminary steps—*(a) *Consultation.* Upon appointment, manufacturers, engineers, or their representatives may visit the Central Experiment Station of the Bureau of Mines at 4800 Forbes Street, Pittsburgh, Pa., to discuss the requirements of this Part 31 or to obtain criticisms of proposed designs of equipment to be submitted for test. There is no charge for such consultation.

(b) *Application.* Before the Bureau of Mines will undertake the active investigation of any equipment, manufacturers shall have filed a written application requesting that the necessary official inspections, tests, and examination of drawings be made. This application shall be addressed to the Director, Bureau of Mines, U. S. Department of the Interior, Washington, D. C., and shall be accompanied by a certified check or bank draft payable to Treasurer of the United States to cover all required fees. A copy of the application shall be sent to the Engineer in Charge of Diesel Testing, Bureau of Mines, 4800 Forbes Street, Pittsburgh, Pa. There are no application blanks to be filled out.

(c) *Fees charged for testing.*

- 1. For preliminary review of drawings and specifications and related reports, for each new locomotive..... \$25.00

- 2. For tests to determine the composition of exhaust gases from the engine under various conditions..... 300.00
- 3. For tests to determine the effectiveness of engine flame arrester..... 100.00
- 4. For detailed inspection of engine flame arrester..... 25.00
- 5. For detailed inspection of manifolds, scrubbers, etc., making up the intake and exhaust systems..... 25.00
- 6. For detailed inspection of each explosion-proof enclosure of electrical units..... 25.00
- 7. For explosion test of each explosion-proof enclosure of electrical units..... 25.00
- 8. For each inspection of a completely assembled locomotive..... 50.00
- 9. For the final examination and recording of all the necessary drawings and specifications for a complete locomotive, preparatory to issuing an approval..... 50.00
- 10. For each half day or fraction thereof, spent in the examination and recording of drawings and specifications, preparatory to issuing an extension of approval..... 7.50

EXAMPLE OF FEES

(For locomotives having six electrical compartments and two types of flame arresters)

Item 1.....	X 1 =	\$25.00
Item 2.....	X 1 =	300.00
Item 3.....	X 2 =	200.00
Item 4.....	X 2 =	50.00
Item 5.....	X 1 =	25.00
Item 6.....	X 6 =	150.00
Item 7.....	X 6 =	150.00
Item 8.....	X 1 =	50.00
Item 9.....	X 1 =	50.00

Total.....1,000.00

If the applicant is uncertain as to the amount of fee he should send with his application, the information will be given him upon inquiry addressed to the Engineer in Charge of Diesel Testing, Bureau of Mines, Pittsburgh, Pennsylvania.

(d) *Drawings and specifications required.* (1) The Bureau of Mines will not undertake the inspection and test of locomotive equipment until a set of legible drawings, bill of material, and specifications sufficient in number and detail to identify the parts fully have been delivered to the Engineer in Charge of Diesel Testing. No drawings or specifications should be sent to the Washington office of the Bureau. Drawings should be numbered and dated to facilitate identification and reference in the records.

(2) The drawings and specifications for locomotives that are to be submitted for approval shall include the following:

(i) An assembly drawing or drawings clearly showing the over-all dimensions of the locomotive, the character, size and relative arrangement of the electrical parts and the wiring between them, also the size and position of the fuel tank, engine flame arresters, the exhaust-gas cooling and dilution systems, and other protective features of the engine.

(ii) A drawing or drawings that shall specify the material and detailed dimensions of all parts that make up explosion-proof enclosures, also of those parts that form any portion of the joints through which possible flames might escape.

(iii) Any other drawings necessary to identify or explain any feature that is to be considered in the approval of the locomotive.

(iv) A wiring diagram for all electrical equipment and circuits on the locomotive shall be submitted.

(v) The complete rating of each starting motor and charging generator, also the capacity of all fuses, and the setting of overload protective devices shall be given. The size of conductors used in all the various circuits shall be specified.

(3) All drawings are to be handled as strictly confidential by the Bureau of Mines.

(e) *Factory inspection form.* Each locomotive shall be carefully inspected by the manufacturer before it leaves the factory. The manufacturer will be required to furnish the Bureau of Mines with a copy of the form to be used by him in this inspection. The form shall draw special attention to the points that must be checked in making certain that the safety features of the locomotive are in proper condition, are complete in all respects, and agree in every detail with the drawings and specifications filed with the Bureau.

(f) *Instruction manual.* The manufacturer shall furnish an instruction manual with each locomotive. This manual shall give complete instructions covering the operation and servicing of the locomotive, particularly with reference to proper adjustment and maintenance of the engine and its auxiliaries in minimizing the production of smoke and toxic gases in the exhaust, in reducing fire hazards, and maintaining flame arresters and flame-proof equipment in proper condition.

A copy of this manual shall be submitted to the Bureau for review.

(g) *Material required for investigation.* Unless requested to do so, the manufacturer need not send a complete locomotive for the purposes of inspection and test. Usually one engine with protective equipment, one fuel tank, one motor, starting switch or other electrical unit of a given design need be shipped to the Bureau for the investigation. Any special tools necessary to disassemble any parts for inspection or test shall be furnished with the equipment submitted.

(h) *Shipment of material.* All shipments must be prepaid and should be plainly marked for the attention of the Engineer in Charge of Diesel Testing. Before making any shipments the manufacturer shall obtain shipping instructions from the Bureau. He shall arrange and pay for any trucking that may be necessary between the freight depot and the testing station. He shall also take care of crating and removal of parts upon completion of the investigation.

Inspection and tests usually are undertaken in the order of receipt of parts, provided that application, fees, and drawings have been received.

(i) *Assistance required during investigation.* When requested to do so, the manufacturer shall provide one or more men to assist in disassembling parts for inspection and in preparing them for test. These persons may serve as witnesses of the tests.

(j) *Witnesses.* No one is to be present during the tests of any equipment except the necessary Bureau of Mines engineers, their assistants, the manufacturer's representatives, and such other persons as may be mutually agreed upon by the manufacturer and the Bureau.

§ 31.4 *General requirements—(a) Quality of material, workmanship, and design.* The Bureau of Mines reserves the right to refuse to test any equipment that, in the opinion of qualified representatives of that Bureau, is not constructed of suitable materials, or that gives evidence of faulty workmanship, or that is not designed upon sound engineering principles. This right shall apply to all parts of the equipment, and to the design thereof, whether or not the points in question are covered specifically by the requirements of this schedule.

(b) *Type of engine considered for approval.* Only locomotives equipped with engines of the compression-ignition type will be considered for approval. Such engines shall be designed to operate only on liquid fuel of flash point not less than 150° F. The starting mechanism shall consist of an explosion-proof electric motor or other device considered safe; engines using gasoline or other volatile fuel for starting will not be considered.

(c) *Fuel injection.* The fuel-injection system of the engine shall be so constructed that the mechanism controlling maximum fuel injection may be fixed definitely, permitting adjustment only by breaking a seal on a locked compartment, or by altering design. Provision shall be made in the fuel-injection system to permit suitable adjustment in maximum fuel injection for engine operation at different barometric pressures.

(d) *Engine intake system—(1) Construction of engine intake system.* The intake system of the engine (exclusive of the air cleaner) shall be of such construction that it will withstand internal pressures of 125 pounds per square inch, or such internal pressures as may be developed within it in explosion tests with gas-air mixtures, whichever is the greater. All joints in the intake system shall be formed by flanged metal-to-metal contacts designed in accordance with requirements for other types of explosion-proof equipment as outlined in paragraph (1) (6) (ii) of this § 31.4.

(2) *Intake flame arrester.* The intake system of the engine shall be equipped with a flame arrester to prevent propagation of flame from the system to a surrounding inflammable atmosphere. The flame arrester shall be so designed and attached to the intake system that it may be removed readily for inspection, repair, replacement, or cleaning. The flame arrester shall be so constructed that it may be cleaned readily. The flame arrester shall be of sufficiently rugged construction to withstand use in its intended application and shall be so situated in the locomotive assembly that it is protected from damage.

The component parts of any flame arrester must be positively positioned. If a flame arrester of the spaced-plate type is used, the thickness of the plates must be at least 0.125 inch; the space between plates must be no greater than

0.02 inch; and the width of plates must be at least 1 inch. The unsupported length of the plates shall be such that deformation in the intended application shall not exceed 0.002 inch. Plates shall be of material not subject to corrosion in the intended application.

(3) *Air shut-off valve in engine intake.* A valve shall be provided in the engine intake system so that the supply of air to the engine may be shut off. This valve shall be operable from the driver's compartment and shall be so arranged that it may be actuated only when the fuel supply to the engine is shut off.

(4) *Air cleaner on engine intake.* An air cleaner of automotive type shall be included in the engine intake system. The air cleaner shall be situated in the intake system so that the intake air shall pass through the cleaner before entering the intake flame arrester. The size and design of the air cleaner shall be such that resistance to air flow will not increase rapidly in dusty atmospheres.

(5) *Attachment of gage to engine intake system.* A vacuum gage shall be attached to the engine intake system at point suitable for indicating total pressure drop through that system. The gage shall be graduated in inches of water and shall be situated in the driver's compartment.

(e) *Engine exhaust system—(1) Construction of engine exhaust system.* The exhaust system of the engine shall be of such construction that it will withstand internal pressures of 125 pounds per square inch or such internal pressures as may be developed within it in explosion tests with gas-air mixtures, whichever pressure is the greater. All joints in the exhaust system shall be formed by flanged metal-to-metal contacts designed in accordance with requirements for other types of explosion-proof equipment as outlined in paragraph (1) (6) (ii) of this § 31.4.

(2) *Exhaust flame arrester.* The exhaust system of the engine shall be provided with a flame arrester to prevent propagation or egress of flame or heated particles from the exhaust system to a surrounding inflammable atmosphere. The flame arrester shall be so designed that it is readily accessible for inspection, repair, replacement, or cleaning. The flame arrester shall be of sufficiently rugged construction to withstand use in its intended application and shall be so situated in the locomotive assembly that it is protected from damage.

The component parts of any flame arrester must be positively positioned. If a flame arrester of the spaced-plate type is used the thickness of the plates must be at least 0.125 inch; the space between plates must be no greater than 0.02 inch; and the width of plates must be at least 1 inch. The unsupported length of the plates shall be such that deformation in the intended application shall not exceed 0.002 inch. Plates shall be of material not subject to corrosion in the intended application.

(3) *Exhaust cooling system.* A cooling system shall be provided for the exhaust gas of the engine. The heat-dissipation capacity of this cooling system

shall be such that the temperature of the undiluted exhaust gas shall not exceed 160° F. at the point of discharge from the cooling system under any condition of operation. A device shall be provided which shall stop the engine automatically and immediately if the temperature of the exhaust gas reaches 180° F. at the point of discharge from the cooling system.

Cooling preferably shall be obtained by a water spray entering the exhaust system at a point close to the outlet of the exhaust manifold or by passing the exhaust gas through water in suitable containers, or by a combination of the two. If a water spray is used, the water shall be delivered to the spray nozzle by a pump, and the water shall pass through a filtering device to protect the spray nozzle from clogging by extraneous material. Provision shall be made for draining and cleaning all exhaust cooling boxes included in the locomotive assembly.

If cooling equivalent to that obtained by the use of water can be provided by other means, such means will be considered acceptable.

(4) *Control of surface temperature of exhaust systems.* Provisions shall be made for limiting the temperature attained by the external surfaces of the exhaust system. The temperature of such surfaces shall not exceed 400° F. under any condition of engine operation. If water-jacketed parts are used the jackets shall be integral with the parts in question. Insulating coverings that would absorb oil will not be considered acceptable.

If a water spray is employed to reduce the temperature of the exhaust gas, as mentioned in subparagraph (3) of this paragraph (e), the spray shall be situated as closely as possible to the outlet of the exhaust manifold to aid in reducing surface temperature of this portion of the exhaust system.

Exterior surfaces of the exhaust system shall be designed to minimize accumulation and lodgment of combustible dusts and to permit ready access to these surfaces for cleaning.

(5) *Dilution of exhaust gas.* Provision shall be made to dilute the exhaust gas with air before it is discharged from the locomotive into the surrounding atmosphere. The quantity of diluting air shall be such that the discharged mixture of exhaust gas and air shall not contain more than 100 parts per million, by volume, of carbon monoxide; 25 parts per million, by volume, of oxides of nitrogen (as equivalent nitrogen peroxide); or 10 parts per million, by volume, of aldehydes (as equivalent formaldehyde) under any condition of operation.

The final (diluted) exhaust of the locomotive shall be discharged in such manner that it is not directed toward the locomotive operator's compartment and shall be deflected downward so that persons alongside the locomotive do not encounter the exhaust at breathing level.

(6) *Temperature indicator in exhaust system.* A temperature-indicating device shall be provided in the exhaust

system to indicate the temperature of the undiluted exhaust gas after its final contact with cooling water. The indicating portion of this device shall be situated in the operator's compartment of the locomotive.

(7) *Provision for attachment of gage or gas-sampling equipment to exhaust system.* A connection shall be provided in the engine exhaust system for temporary attachment of a gage at a point suitable for measuring the total back pressure in that system. This connection shall be suitable also for temporary attachment of gas-sampling equipment to the exhaust system. This opening into the exhaust system shall be provided with a locking closure.

(f) *Composition of exhaust gas.* Under normal operating conditions, and within the rated power output range, the undiluted exhaust gas of the engine shall not contain more than 0.25 percent, by volume, of carbon monoxide.

(g) *Locomotive fuel-supply system—*

(1) *Fuel tank.* The fuel tank shall be fuel-tight and shall be of metal at least  $\frac{1}{16}$  inch thick welded at all seams. The fuel tank shall be provided with a drain plug (not a valve or pet cock) that shall be locked in position when inserted. The fuel tank shall be provided with a vent opening of such design that atmospheric pressure is maintained inside the tank and that discharge of liquid fuel from the vent opening is prevented. Construction of the fuel tank shall be such that fuel may be added to the tank only through a self-closing valve situated at least 1 foot from the exhaust manifold of the engine and preferably below it. The self-closing valve shall constitute a fuel-tight closure when fuel is not being added. Any part of the self-closing valve that would be detached during the addition of fuel shall be secured to the locomotive to prevent loss.

The fuel tank shall be a built-in unit comprising part of the locomotive assembly, and no provision shall be made for attachment of separate or auxiliary fuel tanks to the locomotive.

(2) *Fuel lines.* All fuel lines to the engine and its accessory parts shall be installed so that they are not subject to damage in ordinary use and shall be designed to resist breakage from vibration.

(3) *Valve in fuel line.* A shut-off mechanism, operable from the driver's compartment, shall be provided in the fuel system so that the engine may be stopped immediately in an emergency.

(h) *Signal or warning devices.* All locomotives shall be equipped with a bell, horn, or other suitable warning device. This device shall not be electrically operated.

(i) *Electrical equipment—(1) Classification of electrical parts.* The electrical parts of a locomotive that may cause ignition of mine gas and coal dust are classified as follows:

(i) *Class 1.* Class 1 shall include motors, starting switches, fuses and all their parts that may produce sparks or flashes as the result of normal operation. Headlights, motors, rheostats, electromagnets, and similar parts which may become dangerous because of failure of electrical

circuits in them are also included in this class. Parts in this classification shall be enclosed in explosion-proof casings.

(ii) *Class 2.* Class 2 shall include all parts, such as batteries and external connections and wiring between enclosures, that do not produce sparks or flashes as the result of normal operation but may do so as the result of accident. Parts in this classification shall have adequate shields or guards of a strength and character proportionate to the risk of injury, or else they shall be enclosed in explosion-proof casings.

(iii) *Class 3.* Class 3 shall include all parts such as plugs and receptacles that may produce sparks or flashes in normal operation, but are not of necessity operated while the locomotive is in a gassy place. Parts in this classification shall be enclosed in explosion-proof or adequately locked casings. If locked casings are used, they shall have adequate mechanical strength.

(2) *Type of electrical system.* The electrical system on the locomotives shall be completely insulated from the chassis, the engine, and all other metal parts.

(3) *Automatic protection of electrical circuits and equipment.* On locomotives using storage batteries for starting of engines, each electrical conductor from the battery to the starting motor shall be protected against short circuit by fuses or other suitable automatic circuit-interrupting devices placed at the battery unless conductors of adequate size are provided.

Fuses or other automatic circuit-interrupting devices shall be inserted at the point where branch circuits are connected to the main circuit between the charging generator and battery. Headlight circuits and circuits for instruments and instrument-panel lights are construed as being branch circuits.

Fuses shall be enclosed in explosion-proof casings with locked or sealed covers.

(4) *Conductors, conduits and wiring.* Every conductor shall have adequate insulation from "ground" and from conductors of opposite polarity. Insulation shall be selected with special reference to its ability to resist deterioration from engine heat and oil.

It is recommended that all conductors have a carrying capacity of not less than 110 percent of the total current rating of the motor or other load connected to them. The basis for determining such carrying capacity shall be that given by the National Electrical Code for "allowable carrying capacities of wires."

All wiring, particularly that outside of locked or explosion-proof enclosures, shall have adequate mechanical and electrical protection to minimize gas-ignition hazards as well as fire hazards. If for any reason rigid conduit is unsuitable or undesirable a good grade of rubber air hose or equivalent may be construed as meeting the requirement for mechanical protection if used where it will not be damaged by engine heat and oil. Flexible metal conduit is not acceptable. All conduit ends must be adequately clamped or otherwise secured to prevent their being pulled out. Inserts should be used

to prevent collapse of hose conduit ends that are secured by external clamps.

Sharp edges and corners shall be removed at all points where there is possibility of damaging the insulation of wires, cables, or conduits by cutting or abrasion.

Wiring and conduits shall be well-cleated or otherwise held to prevent vibration and displacement.

The ends and terminal lugs of wires and cables shall be held or clamped in a manner that will minimize the possibility of the ends and lugs coming loose from their connections and swinging against sides of enclosing casings or against parts of opposite polarity.

(5) *Electrical clearances and insulation.* The clearance between live parts and casings of electrical equipment shall be such as to minimize the possibility of arcs striking to the casings, or if space is limited the casings shall be lined with adequate insulation.

(6) *Detailed requirements for class 1 electrical parts; enclosure casings—(i) Materials and construction.* The casings forming the enclosure for class 1 parts shall be of suitable material and especially durable in order that, with proper care and maintenance, the explosion-proof qualities will remain unimpaired not only when subjected to pressures developed during explosion tests, but also under the severe conditions imposed by mining service. Sheet metal used in the fabrication of explosion-proof casings shall be at least  $\frac{1}{4}$  inch thick for any wall or cover having an area of 216 square inches or more (12 by 18), unless adequate reinforcing ribs, or their equivalent, are used to prevent deformation. Less than  $\frac{3}{16}$ -inch thickness is not recommended. If welding is employed to join the side and wall pieces, the joints shall be continuously welded gas tight both inside and out.

Casings may be either of the totally enclosed type, in which no provision is made for ventilation of the interior, or else the type having provision for ventilation or relief of pressure from internal explosions. Totally enclosed construction, however, is recommended by the Bureau. Complicated castings and fabricated housings should be pressure-tested at the factory to reveal blowholes and other weaknesses.

If provision is not made for pressure relief through special devices, the casing will need to be strong enough to withstand explosion pressures approaching 100 pounds per square inch. However, if a casing communicates with another through a small passage or is itself divided by a partition, the effect of "pressure-piling" may be produced, and pressures considerably in excess of 100 pounds per square inch may be anticipated.

The use of phenolic and other insulating materials that give off highly explosive gases when decomposed by electric arcs should be avoided in mounting live parts within explosion-proof enclosures.

(ii) *Joints and machining tolerances.* Where an explosion-proof enclosure consists of two or more metal parts that are held together by bolts or other suit-

able means, the flanges comprising the joints between parts shall have surfaces making metal-to-metal contact. Glass-to-metal joints are permitted in casings such as those for headlights and meters. Gaskets, if adequate, may be used to obtain a firm seat for the glass, but not elsewhere. Ruber, putty, and plaster of paris are not acceptable as gasket materials.

The surfaces comprising a flange joint need not be all in one plane. For enclosures having an unoccupied volume (air space) of more than 60 cubic inches, the total width of joint measured along the shortest path from inside to outside of the enclosure shall be not less than 1 inch, except as follows:

A rabbet joint having a total width of  $\frac{3}{4}$  inch may be accepted if neither the cylindrical nor the plane fit is less than  $\frac{3}{16}$  inch wide, with a maximum radial clearance of 0.002 inch for the cylindrical fit. When the unoccupied volume (air space) is less than 60 cubic inches, a minimum width of  $\frac{3}{4}$  inch may be accepted for plane joints, but a 1-inch width of plane or rabbet joint is recommended.

The width of blow holes in joint surfaces will be deducted in measuring flange widths. Diameters of holes for bolts or screws required to maintain tight joints will also be deducted in such measurement: (a) If excessive clearance (over  $\frac{3}{64}$ -inch radial) is allowed for the bolt in its hole and, (b) if the diameter of the bolt hole is more than half of the required metal-to-metal contact. It is recommended that such holes be located so that the shortest distance along the joint from the interior of the enclosure to the edge of the hole is not less than  $\frac{7}{16}$  inch. However, less than  $\frac{1}{4}$  inch will not be accepted for 1-inch joints, nor less than  $\frac{7}{16}$  inch for joints under 1 inch. (Exception may be made for narrow interpoles, in which case the distance from the edge of pole piece to the bolt hole in the motor frame shall not be less than  $\frac{1}{8}$  inch and the diametrical clearance around the bolt shall be as stated in the next paragraph of this subdivision (ii). Furthermore, the pole piece shall seat against the frame surface.)

Bolts and screws shall be close-fitting in holes that cut through joint surfaces. If the edge of a bolt or screw hole is less than  $\frac{7}{16}$  inch from the interior of the enclosure, the diametrical clearance around the bolt or screw shall not exceed  $\frac{1}{64}$  inch and this clearance shall be maintained for a distance of at least  $\frac{1}{2}$  inch as measured from the joint.

When the flanges of a joint cannot be brought into actual contact with each other owing to warping or faulty machining of parts or necessity for sliding fits, the requirement for metal-to-metal contact will be construed as having been met for plane flanges under the following conditions:

1. If the separation does not exceed 0.004 inch at any point.
2. If the 0.004-inch separation does not extend over 6 inches along the joint.
3. Provided the joint does not permit discharge of flame during the explosion tests.

When it is necessary in manufacture to provide for a running fit between cylin-

drical surfaces other than motor shafts, a shoulder shall be included in the design to provide a change in direction through the flame path between the parts. In joints of this type, the diametrical clearance between cylindrical surfaces shall be kept as small as feasible, but in no case shall it exceed 0.01 inch.

Laminated motor frames having end rings assembled as an integral part under high pressure may be considered with less width of contact between the end rings and laminations than that specified in the preceding paragraphs of this subdivision (ii). It is recommended that the metal-to-metal contact be kept as near the 1-inch standard as practical, but less than  $\frac{1}{4}$  inch will not be accepted. If less than the 1-inch standard width is used for joints of this type, the construction must permanently preclude any separation between the end rings and lamination, and if a 0.0015-inch thickness gage can be inserted  $\frac{1}{8}$  inch at any point, the construction will be considered unsatisfactory. The joint should not open under explosion pressures.

(iii) *Bolts and similar fastenings.*

Bolts and similar means of clamping flange joints together shall be generously proportioned to minimize stripping of threads and to give adequate strength. Steel inserts shall be used when it is necessary to thread screws or bolts into aluminum castings. Clamping bolts and screws should be at least  $\frac{1}{4}$  inch in diameter and preferably not less than  $\frac{1}{2}$  inch.

Unless the design permits of especially rigid construction between bolts, spacings greater than 6 inches are not recommended for flange joints.

All bolts, nuts, and screws used in fastening flange joints, as well as those used in holding parts such as pole pieces, brush rigging, and bearing caps, shall be provided with lock washers or other suitable means to prevent loosening. The length of threads in bottomed holes and on bolts, screws, and studs shall be such that the joint can be made tight even though lock washers are omitted.

(iv) *Through holes for bolts, screws, and rivets.* Through holes into explosion-proof casings shall be kept to a minimum. Holes for bolts, screws, etc., shall be "blind" or bottomed if the omission of a bolt or screw would leave an unprotected opening into the casing. If unavoidable, holes may be made through casings for bolts, studs, or screws that are necessary to hold essential parts such as pole pieces and brush rigging, providing the bolts, etc. have an adequate long close fit through the casing and providing at least two holes, studs, or screws are used for each part held. In addition one of the following optional conditions shall apply: (a) Each hole must be bottomed in the part held and adequate metal-to-metal contact provided between the part and the casing to insure an effective internal seal around the hole in the event that the bolt or screw is omitted or lost, or (b) if studs are used they must be permanently fastened in the part held, or (c) bolts passing entirely through pole pieces must be arranged so that they cannot be removed



without removal of the armature, or (d) special nonremovable bolts must be adequate for the intended purpose.

Holes shall not be drilled through walls of explosion-proof casings for screws or rivets holding name plates or approval plates.

(v) *Inspection openings and covers.* The number of openings in explosion-proof enclosures shall not exceed the minimum required for proper assembly and inspection of parts. Openings such as those necessary for inspection of motor commutator and brushes are permitted if suitable covers are provided. These covers must have the width of flange joint previously specified or a threaded joint with sufficient threads to give the required width of surface in contact. Screw covers and those held by special clamps and screws must be secured against unauthorized opening by means of a lock or a nonrusting wire and seal. Where the seal wire alone is of insufficient mechanical strength, an additional fastening such as a set screw or a pin secured by a seal should be used. The distance between the two holes through which the seal wire is threaded shall not exceed 3 inches.

(vi) *Bearing and shaft clearances.* Armature, controller, switch, and other shafts or rods carried through walls of explosion-proof enclosures do not require stuffing boxes. For plain journaled bearings the diametral clearance between the shaft and bearing shall not exceed 0.01 inch to provide for a running fit, and this running fit shall not be less than  $\frac{3}{4}$  inch long for an enclosure having an internal air space under 60 cubic inches, nor less than 1 inch for enclosures having more than 60 cubic inches air space.

Roller and ball bearings are not accepted as suitable barriers for stoppage of flames, and therefore the flame path provided between a shaft and the inner parts of bearing housings shall not be less than 1 inch long for enclosures of more than 60 cubic inches air space. If the air space is 60 cubic inches or less, this part of the flame path may be reduced to  $\frac{3}{4}$  inch. In either case the diametral clearance shall not be greater than 0.03 inch at any point in the  $\frac{3}{4}$ - or the 1-inch path. This clearance is allowed providing it does not permit discharge of flame.

Reduced clearances may be required for the fit of bearing cartridges, collars and other parts forming cylindrical flame paths in bearing housings. Flame paths having radial clearances of more than 0.005 inch should have one change of direction in them.

Oil grooves in bearings and felt rings or oil grooves in bearing housings are not to be included in the measurement of the length of running fit along a shaft. Such grooves are not allowed if not of sufficient volume to reduce the effectiveness of the path. Openings made for purposes of filling and draining bearings shall be outside of the required length of path.

Labyrinths or other special arrangements may be accepted in place of straight paths if they provide equivalent lengths and clearances and are made up

of rugged parts not likely to be readily omitted. A removable outer bearing cap is not considered as part of the required length of fit.

(vii) *Cable entrances.* All electrical conductors that pass through the walls of explosion-proof enclosures shall be provided with adequate insulation and guards at the point of entrance to the enclosure in accordance with one or more of the following:

(a) If stuffing-box cable entrances are used, the packing material shall be an untreated asbestos, such as woven valve-stem packing, and it shall be not less than  $\frac{3}{16}$  inch in diameter. The size, length, and kind shall be specified on the drawings or bills of material. The amount of packing material used in each stuffing box shall be such that when compressed, it will completely surround the wire or cable for a distance of not less than  $\frac{1}{2}$  inch measured axially.

The stuffing-box design and the amount of packing used shall be such that, with the packing properly compressed, the gland still has a clearance distance of  $\frac{1}{8}$  inch or more to travel before it meets interference by parts other than packing. The glands shall be secured against loosening. The use of insulating bushings in stuffing boxes is recommended, especially for voltages that exceed 250. When an outer braid insulation covering is used on wires and cables passing through stuffing boxes it should be made of asbestos or slow-burning material.

The width of space for packing material shall not exceed the diameter or width of the uncompressed material by more than 50 percent. At other points small clearances shall be maintained between the stuffing-box parts and the cables or wires passing through them. A clearance greater than  $\frac{3}{64}$  inch (i. e.,  $\frac{3}{32}$  inch diametral clearance) will not be accepted.

Corners shall be well-rounded at all points where cables and wires emerge from bushings, glands, and stuffing boxes to prevent cutting of insulation. Stuffing boxes, if not made integral with enclosures, shall be securely held to enclosures on which they are used.

Stuffing boxes and the fittings connected to them shall be so placed or guarded that they are not likely to be damaged in derallments and other accidents.

The diameter of cables used in stuffing boxes and the dimensions of openings for cables in stuffing boxes shall be given in decimal rather than common fractions.

(b) If insulated studs are used they shall be designed and spaced to minimize the possibility of electrical creepage to parts of opposite polarity or to the casing. Terminal lugs shall be keyed to their studs or else shielded by insulating barriers so that they cannot come into contact with each other or with any metal not of the same potential or polarity. Adequate means shall be provided to prevent loosening of the studs and lugs by vibration or by expansion and contraction. Special attention shall be given to the shielding of external stud connections so that they cannot be short-

circuited or grounded by accidental or careless contact or by water when the machine is properly assembled.

(c) Insulating tubes or bushings shall not be used alone to take wires and cables through walls and partitions or explosion-proof enclosures unless both ends of each tube are wholly within such enclosures. The length of each tube and the clearance around the wire or wires in it should be such as to prevent "pressure-piling" in the event of flame passing through it. (In general, a diametral clearance of  $\frac{1}{16}$  inch should not be exceeded for single cables in tubes.) Bushings and tubes shall be secured against loosening and shall be of incombustible material.

(d) If wires and cables are taken through openings which are closed with sealing compounds, the design of the opening and characteristics of the compounds shall be such as to hold the sealing material in place without tendency of the material to crack or flow out of its place.

(e) An explosion-proof connection box may be used to facilitate connection to external circuits, providing the wires are closely fitted or sealed in the opening between the casing and the connection box in a manner adequate to inhibit flame propagation from the box to the enclosure on which it is mounted. A short metal tube or length of rigid conduit permanently secured to both may be used between the casing and the connection box when necessary. The connection box shall comply with all requirements of this subparagraph (6) for class 1 compartments and the lead entrance for external connection shall comply with the preceding paragraphs of this subdivision (vii).

(f) Lead entrances that are not designed to prevent passage of flame from enclosures may be used in making electrical connections between separated explosion-proof enclosures, provided the conductors are carried in rigid metal conduit or equivalent. This conduit shall be fastened securely to the enclosure and shall be sealed or sufficiently filled with conductors to prevent the propagation of flame through it.

(7) *Parts having special requirements—(i) Motors and generators.* The internal construction of bearings for motors and generators shall be capable of preventing the escape of flame during explosion tests with the outer bearing caps removed, unless the outer caps are essential to hold the bearing in place. If the outer caps are essential, they shall comply with the constructional requirements of subparagraph (6) of this paragraph (i) for class 1 parts as to width of joints, fastenings, and through holes.

(ii) *Rheostats and resistors.* Particular attention shall be given to the choice of conductors used both inside and outside of enclosures for rheostats and resistors and to the type of cable entrances in order to prevent grounds and short circuits that might result from failure of insulation due to heat. Rheostats and resistors shall be so designed and proportioned that the temperature of the external surfaces of the enclosure does not exceed 400° F. at any point.

(iii) *Meters and instruments.* Meters and instruments that are actuated electrically shall be insulated from the explosion-proof casing in which they are enclosed. The glass in meter and instrument casings shall be at least  $\frac{1}{2}$  inch thick for diameters of 5 inches or more. For diameters under 5 inches, safety glass shall be used and the thickness shall be at least  $\frac{1}{4}$  inch. Meters and instruments shall be shielded by position or have a guard to protect the glass against damage.

(iv) *Headlights.* Headlights shall be mounted in protected positions where they are not likely to be damaged by passing objects. The glass in headlights shall be at least  $\frac{1}{2}$  inch thick.

(v) *Push buttons and push-button stations.* Push rods passing through walls of explosion-proof casings shall not be less than  $\frac{1}{4}$  inch in diameter. They shall have a shoulder, head, or equivalent at the inside end to prevent accidental loss or removal from the outside. Cotter pins or parts held by cotter pins are not acceptable as means of preventing this loss or removal.

The diametral clearance between the push rod and its hole shall not exceed 0.01 inch to provide for sliding fit, and this sliding fit shall not be less than  $\frac{3}{4}$  inch long for an enclosure having an internal air space under 60 cubic inches, nor less than 1 inch for enclosures having more than 60 cubic inches air space. In either case, the required length of sliding fit shall not be decreased when the button is depressed.

When it is important that accidental operation of push buttons be prevented, the Bureau reserves the right to require suitable guards or shields for the protection of the external ends of push buttons.

(8) *Class 2 electrical parts having special requirements—(1) Battery boxes and batteries.* Battery boxes shall be made of material equivalent in strength to sheet steel not less than  $\frac{3}{16}$  inch in thickness or of wood reinforced with steel, and shall have a substantial cover or covers lined with nonbrittle insulation of adequate strength, quality, and dimensions. The cover or covers shall be provided with suitable means for locking them in the closed position to prevent opening by unauthorized persons.

Battery boxes shall be provided with means for ample ventilation to prevent accumulation of explosive hydrogen-air mixtures above the battery. Ventilating openings shall be guarded to prevent access to the cell terminals from the outside.

Unless the battery cells are insulated from the trays in an acceptable manner, the trays shall be insulated from the battery box with rubber or equivalent insulators of adequate dimensions. For cells in metal containers mounted in "open"-type trays a lining of wood or equally suitable insulation shall be provided for the bottom of the battery box. All wood and other insulating linings shall be treated or painted with suitable material to resist destruction by battery electrolyte.

The number, type, rating, and manufacturer of the cells comprising the battery shall be specified.

A diagram showing the connections between cells and between trays shall be submitted. The connections shall be such that the maximum total battery potential will not be placed between any two adjacent cells.

§ 31.5 *Methods of testing—(a) Tests of locomotive parts other than electrical—(1) Detailed inspection.* An inspection will be made by engineers of the Bureau of Mines of all parts of the locomotive covered by the requirements of this schedule or any other parts or features that are associated with safety in operation. This inspection will include the following items:

(i) A detailed inspection to determine the adequacy of materials, workmanship, and design.

(ii) A detailed check of parts or assemblies against drawings as to materials, dimensions, and position, making notations for necessary correction of any discrepancies that may exist between the drawings and the parts or assemblies.

(iii) Measurements of joints, flanges, and other possible flame paths in the intake and exhaust systems of the engine.

(iv) Measurement of specified dimensions of flame arresters for the intake and exhaust systems of the engine.

(2) *Determination of composition of exhaust gas.* The exhaust gas of the engine will be sampled while the engine is operating at minimum speed and at maximum rated speed. At both speeds the engine will be operated at minimum power output, at approximately one-half maximum rated power output, and at maximum rated power output. Under any of these test conditions the engine will be at temperature equilibrium before exhaust-gas samples are collected or other test data recorded. Under each test condition rate of fuel consumption will be determined, and atmospheric pressure and temperature will be noted.

The exhaust gas samples will be analyzed for carbon dioxide, oxygen, carbon monoxide, hydrogen, methane, nitrogen, oxides of nitrogen, and aldehydes.

In connection with tests to determine composition of exhaust gas, the maximum permissible reduced pressure in the intake system of the engine and the maximum permissible positive pressure in the exhaust system will be determined. In such tests the engine will be operated at maximum rated speed and the intake and exhaust systems will be complete with all accessory equipment such as air cleaners, flame arresters, and exhaust cooling devices. These maximum pressures will be determined by gradually adding resistance to air flow in the intake system and by similarly adding resistance to exhaust gas flow in the exhaust system and noting the pressure, in each system, at which measurable increase occurs in the content of carbon monoxide (or other toxic constituent) in the exhaust gas. These data will be used, allowing a suitable margin of safety, in determining the maximum per-

missible reduced pressure and positive pressure, respectively, in the intake and exhaust systems of the engine.

(3) *Maximum permissible fuel: air ratio.* If the carbon monoxide content of the engine exhaust does not exceed 0.25 percent by volume throughout the rated range of speeds and power outputs, the manufacturer's adjustment of the fuel injection equipment will be considered acceptable. The maximum fuel: air ratio (pounds of fuel per pound of air) attained under test will be calculated and will be designated as the maximum permissible fuel: air ratio.

If the carbon monoxide content of the exhaust is found to exceed 0.25 percent by volume only at or near maximum power output, the maximum fuel:air ratio will be determined at which the carbon monoxide content of the exhaust does not exceed 0.25 percent by volume, and this fuel:air ratio will be designated as the maximum permissible fuel: air ratio. Adjustment of the fuel injection system may be made in the course of these tests to meet the requirement of maximum permissible fuel:air ratio.

In connection with establishment of maximum permissible fuel:air ratio, the barometric pressure existing during the tests and the rate of fuel consumption at maximum permissible fuel:air ratio will be recorded as part of the requirements for operation of the locomotive under permissible conditions. As stated in § 31.9 of this Part 31, operation at barometric pressures significantly lower than that existing during tests to determine the maximum permissible fuel:air ratio will necessitate readjustment of the fuel-injection system so that the maximum permissible fuel:air ratio is not exceeded as a result of the decrease in air density at the lower barometric pressure.

(4) *Adequacy tests of intake and exhaust flame arresters and determination of ability of intake and exhaust systems to withstand internal explosions.* To test the adequacy of intake and exhaust flame arresters and to determine the ability of the intake and exhaust systems to withstand internal explosions, these systems with their respective flame arresters will be connected to the engine and will be filled and surrounded by inflammable gas-air mixtures containing different concentrations of Pittsburgh natural gas. The mixture within the intake and exhaust systems will be ignited by a spark or other suitable means and the pressure developed in the system will be determined. The igniting source will be placed in different locations to determine the maximum pressure developed by the explosion.

Explosion tests will be made both with quiescent inflammable gas-air mixtures in the intake and exhaust system and with inflammable gas-air mixtures in motion. In the latter tests the engine will be driven at selected speeds throughout its operating range and no liquid fuel will be supplied to the injection valves.

Explosion tests will be made both with bituminous-coal dust introduced into the intake system and with oil fog intro-

duced into the exhaust system. These tests will be made with quiescent mixtures in the intake and either quiescent or moving inflammable gas-air mixtures in the exhaust. In tests with bituminous-coal dust in the intake, the intake system will be blanked off from the cylinder head to protect the interior of the engine.

The temperatures of the flame arresters on the intake and exhaust systems will be maintained at 212° F., or less. The water-spray cooling system will not be in operation, and no water will be present in the exhaust cooling boxes during explosion tests. At least 10 explosion tests will be made for each explosion-proof intake and exhaust system. If the intake and exhaust systems contain questionable construction features more than 10 explosion tests will be made.

The explosion tests of an intake and exhaust system shall not result in: (i) discharge of flame from any joint or opening; (ii) ignition of surrounding inflammable gas-air mixture; (iii) development of dangerous afterburning;<sup>1</sup> or (iv) excessive pressures. (Pressures greater than 150 pounds per square inch gage are considered excessive). An intake or exhaust system will be rejected if it fails to meet any one of the four conditions.

In addition to explosion tests, certain other tests may be made at the option of the Bureau's engineers to determine the adequacy of a part for the service intended:

(a) Spaced-plate flame arresters mounted in the intake and exhaust system will be examined to determine the space between the plates. When spaced-plate flame arresters are used in the exhaust system the temperature of these plates will be 212° F. when the examination is made.

(b) Where the durability of flame arresters is in doubt, such mechanical tests as are deemed necessary may be made to determine points requiring strengthening.

(5) *Determination of adequacy of exhaust-gas cooling system and accessory parts thereof.* The adequacy of the exhaust-gas cooling system and its accessory parts will be determined with the engine operating at its maximum power output for a period sufficient for all parts of the engine and exhaust-gas cooling system to reach their respective equilibrium temperatures. The cooling water spray will be in operation, and when equilibrium has been reached all compartments designed to hold cooling water will be filled with a measured quantity of water (at the equilibrium temperature) in accordance with the recommendations of the manufacturer. No cooling air will be circulated over the engine or its accessories during the test.

The following determinations will be made: (i) Exhaust-gas temperature at outlet of exhaust manifold but upstream

from cooling water spray; (ii) final exhaust-gas temperature;<sup>2</sup> (iii) cooling water consumed; (iv) temperature of water in all compartments; and (v) temperature of cooling water to spray.

The final exhaust-gas temperature shall not exceed 160° F.

The water consumed in cooling the exhaust gas under the test conditions of operation shall not exceed that required for the adiabatic saturation of the exhaust gas at the final temperature by more than 10 percent. The water consumed in excess of that required for adiabatic saturation at the final exhaust temperature will be considered as entrained water.

The adequacy of the automatic fuel shut-off actuated by the exhaust temperature will be determined with the engine operating at its maximum power output and with the cooling spray initially in operation. The water to the cooling spray will be shut off, the water in all compartments designed to hold cooling water will be drained, and the final exhaust-gas temperature at which the fuel to the engine is automatically shut off will be noted. The temperature must be between 180° and 190° F.

Following this test the temperature at the control point will be permitted to drop to 160° F. At this temperature it must be possible to start the engine. If a manual reset is provided in the automatic fuel shut-off control it shall be possible to reset the control and start the engine when the temperature at the control point is 160° F.

At the option of the Bureau's engineers any other tests may be made to determine the adequacy of a part for the service intended.

(6) *Determination of surface temperature of engine and accessories.* The surface temperatures of the engine, the exhaust cooling system, and any accessories will be determined with the engine operating at its maximum power output for a period sufficient for all parts of the engine and its accessories to reach their respective equilibrium temperatures. The exhaust-gas cooling system will be in operation, but no air will be circulated over the engine or accessories. Under the foregoing conditions the following surface temperatures will be measured: (i) Exhaust-gas manifold at inlet; (ii) exhaust-gas manifold at outlet; (iii) engine-surface temperatures at various locations; (iv) crankcase; (v) exhaust flame arrester; (vi) intake flame arrester; and (vii) at any other location considered necessary.

The temperature of any surface measured under the foregoing conditions shall not exceed 400° F.

At the option of the Bureau's engineers the engine may be operated under the foregoing test conditions while completely surrounded by an inflammable natural gas-air mixture. Combustible materials likely to be encountered in service may be placed on any surface. Operation under such conditions shall

not cause an ignition of the surrounding inflammable atmosphere.

In addition to the foregoing tests any other tests may be made at the option of the Bureau's engineers to determine the adequacy of the cooling of surfaces of the engine and its accessories.

(7) *Tests of exhaust-gas dilution system.* The adequacy of the exhaust-gas dilution system will be determined by tests of the assembled locomotive. The engine will be operated in normal air, at minimum speed and at maximum rated speed, and will be at temperature equilibrium during the tests. Samples of the final (diluted) exhaust of the locomotive and of the undiluted engine exhaust will be collected simultaneously at both speeds. Analyses of these samples will serve as a basis for calculating the extent of dilution effected by the system. The dilution ratios thus obtained will be applied to the data obtained in tests described in subparagraph (2) of this paragraph (a) to determine whether the concentrations of carbon monoxide, oxides of nitrogen and aldehydes in the diluted exhaust of the locomotive are within the required limits.

(8) *Tests of fuel tank.* The fuel tank will be tested to determine that it is fuel-tight, that the vent will maintain atmospheric pressure within the tank, and that the vent and closure do not permit the egress of liquid fuel.

(b) *Tests of electrical equipment—(1) Detailed inspection of class 1 electrical parts.* In the investigation of any machine or equipment for approval and also in the investigation of separate electrical units (individual motors, controllers, etc.) as to suitability for use on permissible machines, explosion-proof casings shall be given careful inspection by the Bureau's engineers. This inspection will include the following items:

(i) A detailed check of parts against drawings as to materials, dimensions, and position, making notations for necessary correction of discrepancies between the drawings and the parts checked.

(ii) Measurement of joints, bearings, and other possible flame paths.

(iii) Examination for unnecessary through holes.

(iv) Examination for adequacy of lead entrance design and construction.

(v) Examination for adequacy of electrical clearance of insulation between live parts of opposite polarity and between live parts and ground.

(vi) Examination for adequacy and security of fastenings.

NOTE: For further information regarding the details of this inspection reference should be made to Bureau of Mines Information Circular 7185, *Inspection and Testing of Mine-Type Electrical Equipment for Permissibility.*

(2) *Explosion tests of class 1 electrical parts.* To test enclosures for their ability to retain flame, they will be filled and surrounded with explosive mixtures containing varying percentages of Pittsburgh natural gas<sup>3</sup> and air. The mix-

<sup>1</sup>The term "afterburning" as used in this part 31 is applied to combustion of an inflammable gas-air mixture drawn into the system under test by the cooling of the products from an explosion in the system.

<sup>2</sup>Temperature at point of discharge from exhaust cooling system and before exhaust gas is mixed with diluting air.

<sup>3</sup>Investigation has shown that, for practical purposes, Pittsburgh natural gas (containing a high percentage of methane) is a satisfactory substitute for pure methane in these tests.

ture within the enclosure will be ignited by a spark plug or other suitable means, and a record of explosion pressures developed will be taken. The point of ignition will be varied to determine the condition that gives the greatest pressure. For some of the tests, bituminous-coal dust will be introduced into enclosures, and the effects will be noted. Motor armatures and rotors will be stationary in some tests and revolving in others.

Not less than 10 tests will be made of each design of explosion-proof enclosure. If, on account of the size of enclosure or questionable construction features, it is the judgment of the Bureau's engineers that the explosion-proof qualities cannot be completely demonstrated in 10 tests, more than that number will be made.

The explosion tests of an enclosure shall not result in: (i) Discharge of flame from any joint, bearing, or opening; (ii) ignition of surrounding explosive mixtures; (iii) development of dangerous afterburning;\* or (iv) excessive pressures. (Indicated pressures of 150 pounds per square inch gage or over are considered as being excessive.) An enclosure will be rejected if failing to meet any one of the four above conditions.

(3) *Adequacy tests of electrical parts.* In addition to explosion tests, certain other tests may be made at the option of the Bureau's engineers to determine the adequacy of an accessory for the service intended:

(i) Where the durability of battery cells, headlights, or other parts is in doubt, such mechanical tests as are deemed necessary may be made to determine points requiring strengthening.

(ii) If there is any question on the efficacy of ventilation of battery boxes, tests may be made to check the ventilation.

(iii) Switches or circuit breakers and contactors intended to function as switches shall be capable of interrupting any overload currents that will flow without causing the protective devices to open the circuit. They also shall be capable of opening these overloads five times at 2-minute intervals without grounding or short-circuiting.

(iv) Fuses or other automatic circuit-interrupting devices may be tested to determine whether they provide the necessary protection without damaging the explosion-proof qualities of their enclosures.

(4) *Factory inspection and tests.* If necessary to expedite the investigation the Bureau of Mines will conduct inspections or tests of the locomotive assembly, or any part thereof, at the plant of the manufacturer.

(5) *Additional tests.* The Bureau of Mines reserves the right to make any additional tests, not covered by the provisions of this Part 31, that may be considered necessary to determine the ade-

quacy of the locomotive, or any part thereof.

§ 31.6 *Granting of approval—(a) Notification of approval or disapproval.* After the Bureau of Mines has considered the results of the investigation, and suitable drawings and specifications have been placed on file, a formal written notification of approval or disapproval of the locomotive will be supplied to the applicant by the Director of the Bureau of Mines. If the locomotive meets all requirements, the notification of approval will not be accompanied by test data or detailed results of tests. If the locomotive fails to meet any of the requirements, notification of such failure will be accompanied by details of the failure with a view to possible remedy of defects. The Bureau of Mines will not otherwise release, or make public, results of tests of locomotives that fail to meet the requirements.

No verbal reports of the Bureau's decisions concerning the investigation will be given, and no verbal or informal approvals will be granted.

The manufacturer shall not be free to advertise his equipment as permissible or approved until he has received the formal notification of approval in which an approval number is assigned.

All drawings and specifications that must be submitted to the Bureau in connection with the investigation will be retained by the Bureau. A drawing list numbered to correspond to the approval number will accompany the notification of approval. This list will include the drawings and specifications covering the details of construction upon which the approval is based. The applicant receiving an approval shall keep exact duplicates of the drawings and specifications retained by the Bureau. These are to be adhered to in commercial production of the approved locomotive.

(b) *Approval plate.* With the notification of approval the applicant will receive a photograph of a design of approval plate. The plate will bear the seal of the Bureau of Mines, the approval number, designation of the type of equipment for which the approval is granted, and the name of the manufacturer. The plate will bear also a statement regarding maintenance of the equipment in approved condition.

The manufacturer shall have this design reproduced as a plate for attachment to each permissible locomotive. A sample plate and a sketch or description of its proposed mounting on the locomotive shall be sent to the Engineer in Charge of Diesel Testing, Bureau of Mines, Pittsburgh, Pa., for approval before final adoption.

(c) *Purpose and significance of approval plate.* The approval plate identifies the equipment as having complied with the requirements of the Bureau of Mines for use in gassy and dusty mines.

The use of the approval plate on his equipment obliges the manufacturer to maintain the quality of his product and to see that each locomotive is constructed according to drawings and specifications accepted by, and on file with, the Bureau of Mines. Equipment exhibiting changes

in design that do not have official authorization from the Bureau are not permissible and therefore must not bear the approval plate.

§ 31.7 *Withdrawal of approval.* The Bureau of Mines reserves the right to rescind for cause, at any time, an approval granted under this Part 31.

§ 31.8 *Changes in design subsequent to approval.* All approvals are granted with the understanding that the manufacturer will make his equipment according to final drawings and specifications submitted to the Bureau of Mines. Therefore, before making any change in an approved locomotive the manufacturer shall first obtain the Bureau's approval of the change. This procedure is as follows:

(a) The manufacturer shall write to the Director, Bureau of Mines, Washington, D. C., requesting an extension of his original approval and stating the change or changes desired. He shall send a copy of this letter, two sets of revised drawings, and specifications showing the change in detail to the Engineer in Charge of Diesel Testing, Bureau of Mines, Pittsburgh, Pa.

(b) The Bureau will consider the application and inspect the drawings and specifications to determine whether it will be necessary to make tests.

(c) If tests are unnecessary, the applicant will be advised by the Director of the Bureau of the approval or disapproval of the change.

(d) If tests are necessary, the applicant will be advised of the fee and the material required for the tests.

§ 31.9 *Recommendations on the use of Diesel locomotives underground.* The approval of any type of equipment by the Bureau of Mines means only that the equipment has met certain specified requirements of design and performance, but the approval does not guarantee that it is impossible to use an approved device in an unsafe manner. The manufacturer must develop equipment that will meet these specified requirements to be granted an approval, but it is the responsibility of the user to see that the equipment is maintained in permissible condition and is used in a permissible manner.

The use of Diesel locomotives underground involves, in addition to proper maintenance of the locomotive itself, certain other factors, such as ventilation, which are of equal importance in establishing safe operating conditions. The following recommendations on the use of Diesel locomotives underground are included in this Part 31 as an expression by the Bureau of Mines of the conditions that should be enforced in the use of such equipment. Any locomotive used under conditions that do not comply with these recommendations shall not be considered by the Bureau as being permissible. The recommendations are as follows:

(a) *Ventilation—(1) Definition of ventilation requirements.* The use of Diesel mine locomotives underground should be restricted to haulageways where positive ventilation is maintained

\*The term "afterburning" as used in this part 31 is applied to combustion, immediately after an internal explosion, of a gaseous mixture that was not in the enclosure at the time of that explosion, but was drawn in as the result of the cooling of the products of the original explosion.

by mechanical means. If possible haulage by Diesel locomotives should be on the intake of a separate split of the ventilating air current or arrangement should be made in some manner so that air carrying exhaust gases from the engine is returned to the surface without traversing working places. The quantity of ventilating air supplied must be adequate to dilute all toxic or objectionable constituents of the engine exhaust to such extent that the composition of the air of the haulageways, or any working place connected thereto, meets recognized hygienic standards for working environments. The air supplied for ventilation in haulageways where Diesel locomotives are used should not contain combustible gas or other contaminants in such concentration that combustion processes in the engine may be altered, with resultant increase in production of toxic or objectionable constituents in the engine exhaust.

(2) *Quantity of ventilating air.* The minimum quantity of ventilating air that must be supplied per unit time will be determined in the approval tests of each permissible locomotive, and this quantity will be shown upon all approval plates issued for Diesel mine locomotives. This quantity shall apply to the use of one locomotive only; if more than one locomotive is used in any continuous course of air, then the air quantity required for one locomotive must be multiplied by the number of locomotives in use. Approved locomotives may be used only in places where at least this minimum quantity of ventilation is in effect. As this minimum required quantity of ventilation will be determined during the approval tests, with engines that are new and presumably in the best mechanical condition, it will be desirable always to supply ventilation in excess of the minimum quantity indicated on the approval plate, thus furnishing a factor of safety in operation.

Ventilation on haulageways should be measured at intervals sufficiently frequent to insure that the required air quantities are being maintained. Records should be kept of such measurements.

(3) *Quality of ventilating air.* The air supplied for ventilation in connection with the use of Diesel locomotives underground should contain not less than 20 percent by volume of oxygen (dry basis) and should not contain more than 0.25 percent inflammable gas. This statement applies to the air current before the exhaust gases from the locomotive are added to it.

(4) *Examination of air of working places.* The air of haulageways in which Diesel locomotives are used should be examined at intervals sufficiently frequent to determine that the composition of the intake air conforms with the requirements given in subparagraph (3) of this paragraph (a) and that the concentration of contaminants, such as carbon dioxide, carbon monoxide, and oxides of nitrogen, added to this air by the locomotive are within acceptable limits. Methods used in determining the concentrations of these contaminants and the composition of the intake air of the haulageways should be sufficiently sensi-

tive and accurate to produce reliable results, as the interpretation of these results may in some instances depend on variations in concentration of as little as 0.01 percent or less. Concentrations of gases considered permissible in working environments are as follows:

Carbon dioxide (CO<sub>2</sub>)—not more than 0.5 percent by volume.

Carbon monoxide (CO)—not more than 0.01 percent by volume.

Oxides of nitrogen (NO<sub>2</sub>)—not more than 0.0025 percent by volume.

Oxygen (O<sub>2</sub>)—not less than 20 percent by volume.

Ventilation and locomotive operating condition should be such that the composition of the air of haulageways, and working places connected thereto, always remains within these tolerable limits.

Aldehydes are self-evident if present in objectionable concentrations and need not be determined by analysis. Production of sulfur gases by the locomotive may be controlled by using a fuel oil of low sulfur content.

A smoky exhaust is a good practical indication of faulty operation and is usually accompanied by the production of excessive quantities of carbon monoxide. Therefore abnormal smoke production should be sufficient reason for removing a locomotive from service until this condition has been corrected.

In the event that any of the foregoing conditions of air quality are not maintained, as determined by analysis of the air, or by observation, operation of locomotives should be stopped until proper conditions of air quality are established, either by increasing ventilation or by correcting mechanical imperfections in the locomotives, whichever is found to be the cause of the undesirable conditions.

Records should be kept of all air analyses and of any changes in ventilation or adjustments of locomotives made as a result of these analyses.

(b) *Maintenance*—(1) *General.* The maintenance of Diesel locomotives in permissible condition is absolutely essential if hazards in the use of such equipment are to be avoided. To insure adequate maintenance a qualified and authorized person should be made responsible for all maintenance work. This person should be thoroughly familiar with the proper procedures for maintaining Diesel locomotives in permissible condition and he should be assisted when necessary by competent mechanics.

Inspection and maintenance procedures shall be in accordance with the instructions furnished by the manufacturer. When Diesel locomotives are operated for the first time in any situation, daily inspections should be made of the intake and exhaust systems of the engine as outlined below and of other accessories of the locomotive to accumulate information on the frequency of inspections required. Records of all inspections should be kept and a routine inspection schedule should be drafted from experience and information obtained in daily inspections during the first several months of operation.

All maintenance work should be done in accordance with detailed instructions

furnished by the manufacturer of the locomotive. These instructions should form the basis of a routine inspection and maintenance schedule. Some of the more important inspection and maintenance procedures are summarized below.

(2) *Engine fuel-injection system*—(1) *Injection valves.* Improperly functioning injection valves may cause incomplete combustion of some of the fuel and lead to increased production of smoke, carbon monoxide and aldehydes. It is important therefore to maintain injection valves in proper operating condition. Particular attention should be paid to preventing leaking injection valves and to preventing imperfect atomization or distribution of the fuel.

The manufacturer's recommendations regarding inspection and maintenance of injection valves should be followed and periodic checks on injection pressure and spray pattern should be made as outlined in these recommendations.

(ii) *Fuel pump.* The fuel pump on the engine is set by the manufacturer in accordance with permissibility requirements of the Bureau of Mines. This setting is made to limit the fuel injected at full throttle and to prevent operation of the engine on the rich side (insufficient air for complete combustion) with the attendant production of dangerous quantities of carbon monoxide. After this adjustment is made the fuel pump is sealed or locked to prevent alteration.

It should not be necessary to reset the fuel pump unless some part breaks or unless the pump is disassembled for a complete overhaul. When it is necessary to set the fuel pump the seal or lock should be broken by an authorized person and the final adjustment should be made under the supervision of this person. After this adjustment has been made the fuel pump should be sealed or locked by an authorized person.

(iii) *Method of adjusting fuel pump.* When it is necessary to reset the stop limiting the fuel injector at full throttle, it is absolutely essential that some means be available for reproducing the original setting. Failure to reproduce the original setting might lead to the production of dangerous quantities of carbon monoxide if too much fuel were injected at full throttle.

Every shop in which Diesel locomotives are serviced should have equipment for determining the fuel delivered by the fuel pump when operating in the full-throttle position. The fuel delivery at maximum throttle setting can be determined either by weight or by volume. If the determination is made by volume a suitable correction for the density of the fuel at the existing temperature must be made. The test procedure should be designed so that the maximum quantity of fuel delivered per revolution of the fuel pump can be determined. The fuel pump should be set to deliver a maximum weight of fuel per stroke corresponding to the value specified by the manufacturer for the particular engine and conditions of use.

(iv) *Adjustment of maximum fuel injection for permissible operation at different barometric pressures.* The average barometric pressure existing at the

place where a Diesel engine is to be used must be considered in setting the maximum fuel injected at full throttle. Barometric pressure affects the density of the air and therefore affects the weight of air drawn into the engine. Unless the quantity of fuel injected at full throttle is adjusted to maintain a constant fuel : air ratio, dangerous quantities of carbon monoxide might be produced at high altitude and low barometric pressure where the density of the air is low.

The maximum quantity of fuel for permissible operation at different barometric pressures will be determined in permissibility tests made by the Bureau of Mines. This information will be furnished the manufacturer and will be included on the approval plate. The fuel pump of the engine should be set in accordance with the values given for the barometric pressure existing at the place where the engine is to be operated.

(3) *Engine intake system.* The intake system of the engine, including flame arrester, air-cleaner, and all joints, should be inspected at periodic intervals. The frequency of these inspections shall be determined in accordance with the recommendations made under general maintenance instructions. Periodic measurements should be made of the reduced pressure in the intake system to determine when it is necessary to clean the flame arrester and air cleaner. The permissible maximum reduced pressure will be determined in permissibility tests made by the Bureau of Mines and will be shown on the approval plates.

Inspection of the intake system should include the determination of the tightness of all joints and of the cleanliness of all surfaces of the flame arrester.

The air cleaner should be maintained in accordance with the manufacturer's instructions.

(4) *Engine exhaust system.* The exhaust system of the engine, including the flame arrester, cooling boxes, shut-off mechanism, water spray, and exhaust dilution system, shall be inspected at periodic intervals. The frequency of these inspections shall be determined in accordance with the recommendations made under general maintenance instructions. Periodic measurements should be made of the positive pressure in the system to determine when the exhaust flame arrester should be cleaned. The permissible maximum positive pressure will be determined in permissibility tests made by the Bureau of Mines and will be shown on the approval plates.

The locomotive operators should be made responsible for maintaining an adequate supply of water in the cooling boxes and in the tank supplying water to the spray. It is important that the water used in the exhaust system be substantially free of acid to prevent corrosion. In some situations this might necessitate chemical treatment of the water used in the locomotive.

The performance of the fuel shut-off mechanism actuated by the exhaust-gas temperature shall be checked periodically. This mechanism can be checked by operating the engine in the repair shop with no water in the cooling boxes and with the water spray off, so that the exhaust-gas temperature at the control

point is greater than the temperature required to actuate the control. The engine shall be operated under such conditions and the performance of the automatic fuel shut-off mechanism determined.

Periodic inspections should be made of all heated engine surfaces at intervals frequent enough to insure that those surfaces are kept free of combustible materials such as coal dust, fuel oil, lubricants, and rags or waste.

The exhaust-gas dilution system should be inspected and cleaned frequently to insure adequate dilution of the exhaust gas before it is discharged from the locomotive. In order to maintain the proper flow of diluting air, it is important that passages through which diluting air flows be kept clean to prevent restriction of air flow.

If the exhaust from the engine appears smoky or if objectionable odors are evident in the exhaust the manufacturer's manual of instructions should be consulted immediately and the cause determined. Particular attention should be paid to inspecting the fuel injection valves, the pressure in the intake and exhaust system, and the quantity of fuel injected by the fuel pump at full throttle. Restrictions in the intake or excessive pressure in the exhaust can cause smoke and objectionable odor. This can be caused also by the injection of fuel in excess of the permissible maximum. A smoky exhaust usually is indicative of the presence of significant concentrations of carbon monoxide and therefore steps should be taken immediately to determine the cause and eliminate it.

(5) *Electrical equipment*—(i) *Locks and seals.* Certain electrical parts, such as battery boxes and headlights on the locomotive, are furnished with locks or seals to prevent opening for adjustments, repairs, etc., by anyone except authorized persons. Such locks and seals should be kept in place. Precautions should be taken to guard against unauthorized persons obtaining keys or sealing tools.

(ii) *Fastenings.* Joints in the casings of motors, starting switches, headlights, and any other parts subject to sparking during normal operation should be kept tightly closed. An opening greater than 0.004 inch for plane (flat) joints is considered unsafe. Accordingly, all bolts, cap screws, and other means of fastening casings together should always be kept in place and secured tightly. Openings caused by the omission of parts or by the burning resulting from arcs should be carefully avoided.

(iii) *Wiring.* Air hose, rigid steel, and other types of conduit should be firmly held at the ends and also between ends, when lengths are such as to require additional supports. Conduit and other means of affording mechanical protection of wiring should be kept intact and in place.

(iv) *Headlight and instrument lenses.* Lenses forming part of the explosion-proof casings of headlights and instruments should be held securely. Lenses with cracks entirely through them should be replaced immediately.

(v) *Overload protection.* Tampering with fuses, relays, and other means supplied by the manufacturer, for overload

and short-circuit protection of wiring and equipment should not be permitted, nor should substitutes that defeat this protection be allowed.

(vi) *Battery.* Battery-cell tops should be kept free of electrolyte and dust. Connections between cells should be kept tight and free of corrosion.

(c) *Fuel.* The fuel used for Diesel locomotives in underground service should conform to the manufacturer's specifications for viscosity, pour point, cetane number, carbon residue, and water. The flash point must not be less than 150° F., and the sulfur content must not be greater than 0.2 percent by weight.

Wherever possible the fuel tanks of the locomotives should be filled above ground. In situations where this is not feasible, fuel should be taken underground only in a strong, tight tank mounted on a car and equipped with a flexible hose and a suitable means for transferring the fuel from the tank car to the fuel tank of the locomotive. The flexible hose shall be grounded to the chassis of the fuel tank car. The valve on the end of the flexible hose of the fuel tank car shall be self-closing and designed so that it is open only when the fuel hose is connected to the fuel tank of the locomotive. The air vent on the tank car must be flameproof.

Tank cars of fuel shall be taken underground only when it is necessary to fill the fuel tanks of the locomotives. After filling the fuel tanks of the locomotives the tank cars shall be removed immediately from the underground workings. The full and empty tank cars must be accompanied during shipment by authorized persons. Under no conditions is fuel to be stored underground.

The transfer of fuel from the tank car to the locomotive must be made in the underground Diesel repair shop. During transfer of fuel the engine must not be in operation.

If there is a drain at the bottom of a tank on a car, this drain must be closed by a screw cap which can be locked in position to prevent self-opening.

Clean fuel is absolutely necessary to minimize maintenance of the fuel-injection systems. Therefore in handling the fuel all precautions should be taken to keep the fuel clean and free from water.

(d) *Fire extinguishers.* At least one fire extinguisher of the type containing liquid carbon dioxide should be carried at all times with each locomotive. Extinguishers of the same type should be installed at underground locomotive repair shops and locomotive barns.

(e) *Repair shops and locomotive barns.* Repair shops for Diesel locomotives and storage of locomotives preferably should be above ground. If such arrangement is impracticable, such spaces should be situated close to the shaft or portal underground and between an intake and a return airway, so that persons in such spaces will be provided with fresh air and so that if engines are operated in the repair shop, or if fire should occur, products of combustion will enter the return air.

Underground repair shops and storage spaces should be lined with incombustible

ble material, and doors, or other closures, should be of incombustible material. The floor should be impervious to oil and should slope to a sump, so that spilled oil may be collected and removed. A supply of sand should be kept on hand to aid in fighting fires or to absorb spilled oil.

Welding or other operations that might create fire hazards should not be carried on in the repair shop unless adequate precautionary measures are taken against the ignition of Diesel fuel or lubricants.

§ 31.10 *Revision of requirements and recommendations.* In the preparation of the requirements and recommendations embodied in this Part 31 the Bureau of Mines has endeavored to provide a basis for the production of safe and practicable Diesel mine locomotives that will meet the demands of existing conditions. However, as the use of such locomotives for underground haulage was an innovation in the United States at the time of preparing this Part 31, it is possible that instances might arise in which the protection afforded would be inadequate. The Bureau of Mines, with the cooperation of manufacturers and users of the locomotives, will be alert to such situations. When a situation arises in which inadequacy of protection or unusual hazard attending the use of approved equipment is established, the manufacturer of the equipment is requested to issue precautions, or if necessary to cease marketing the equipment for use in the particular situation or condition until such changes or provisions as will provide adequate protection are made. It shall be understood that any changes or provisions made must be submitted to the Bureau of Mines and have its approval before being adopted. Should the situation require a change in the basic requirements and tests provided in this Part 31, or the recommendations contained therein, such change will be issued as an amendment to this Part 31.

R. R. SAYERS,  
Director.

Approved: November 11, 1944.

MICHAEL W. STRAUS,  
Acting Secretary of the Interior.

[F. R. Doc. 44-17517; Filed, Nov. 16, 1944;  
10:07 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

**AUTHORITY:** Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 3270—CONTAINERS

[Limitation Order L-197, Direction 2, as Amended Nov. 15, 1944]

RELAXATION OF RESTRICTIONS ON USE OF STEEL DRUMS FOR PACKING CERTAIN FOOD ITEMS ON SCHEDULE B

The following direction is issued pursuant to Limitation Order L-197:

(a) Notwithstanding the provisions of paragraph (c) of the order prohibiting the acceptance of delivery or the use of a "new drum" as defined therein for packing any commodity listed in Schedule B to fill "industrial orders" as also defined therein, a person is hereby permitted to accept delivery of and use new drums for packing the following commodities to fill industrial orders within the limits explained in paragraph (b):

26. Compounds, solid and semi-solid with a melting point of 65 degrees F. or above, used in cooking, including but not limited to mixtures of lard and hydrogenated oils.

29. Dairy products.

32. Food products, cold pack and frozen.

42. Hydrogenated oils with a melting point of 65 degrees F. or above, including but not limited to shortening.

44. Jellies, jams and preserves.

47. Lard.

54. Molasses.

89. Syrup, corn.

90. Syrup, mixed and unmixed (except corn syrup).

(b) The permission of paragraph (a) above to accept delivery of and use new drums to pack the above listed commodities to fill industrial orders is subject to the following limitations:

(1) Such permission shall apply only to new drums having a capacity of over twelve gallons;

(2) Such permission to accept delivery of new drums shall end on January 29, 1945, but such drums so delivered may be used to pack the above-listed commodities on or before January 29, 1945.

(3) The total weight of such drums accepted for delivery and used by a person to pack each of the above listed commodities to fill industrial orders shall not exceed 25 percent of the total weight of new drums used by such person to pack the same commodity to fill industrial orders in the year 1941. Any person who in 1941 was not in the business of packing such commodities in such drums or who desires to have adjusted his usage quota granted hereunder may apply by filing Form WPB 3770 in quadruplicate for permission to buy a specific quantity of steel drums for the above purposes. Such application will be considered only on the basis of essential need for, and the supply of new drums, and the availability of used or substitute containers.

(c) Until this direction is revoked, asterisks shall be deemed to be placed before Items 29, 32, 44, 54 and 89 of Schedule B and "used drums" as defined in the order may be used to pack such items. As soon as the new steel drums referred to in paragraphs (a) and (b) have been used, they become used drums and become subject to all the restrictions in the order applicable to used drums.

(d) These new drums which are used in conformance with the permission granted in paragraph (a) above and the limitations thereto specified in paragraph (b) above shall be deemed to be excluded from the packing quota restrictions of paragraphs (d) (1) through (d) (7) of the order. For example, new drums which are purchased and received by persons on or before January 29, 1945, and used to pack lard (Item 47 of Schedule B) shall not be charged against the quota of new drums allowed to pack the class of commodities identified as Item 101, Schedule A, (grease, animal and vegetable).

Issued this 15th day of November 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-17516; Filed, Nov. 15, 1944;  
4:37 p. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-107, Revocation of Schedule I]

EXTENDED SURFACE HEATING EQUIPMENT

Section 3288.37 *Schedule I to Limitation Order L-107* establishing simplified practices for the production of Extended Surface Heating Equipment is hereby revoked.

This revocation does not affect any liabilities incurred under the schedule. The production of extended surface heating equipment remains subject to all other applicable regulations and orders of the War Production Board.

Issued this 16th day of November 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-17545; Filed, Nov. 16, 1944;  
11:19 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[General Limitation Order L-30-e as Amended Nov. 16, 1944]

ALUMINUM COOKING UTENSILS, KITCHENWARE, AND HOUSEHOLD ARTICLES

§ 3291.166 *General Limitation Order L-30-e—(a) What this order does.* This order provides a means to get authorization to use aluminum in making cooking utensils, kitchenware and other miscellaneous household articles. No person may use aluminum in making articles on Schedule A except as permitted here.

(b) *Permitted production.* (1) Any cooking utensils, kitchenware or household articles listed on Schedule A may be manufactured out of aluminum by any person receiving an allotment of aluminum and an authorized production schedule from the War Production Board.

(2) All applications for allotments of aluminum and other materials and for authorized production schedules to make articles on Schedule A out of aluminum should be made by filing Form WPB-4000 and Form WPB-3820 with the nearest WPB field office in accordance with the provisions of Priorities Regulation 25.

(3) The War Production Board will make allotments, so that production to any one plant, or labor requirements therefor will not interfere with war production in that plant or in any other plant located in the same area.

(c) *Special material restrictions.* In the production of aluminum products authorized under paragraph (b) (1), no person shall use any tin except as may be permitted under Order M-43, or any copper or copper base alloy except as may be permitted under Order M-9-c.

(d) *Special provisions for pressure canners.* Any person who wants to use aluminum in making pressure canners or pressure cookers may apply for permission to do so under paragraph (b) of this order. He may still, of course, apply under Direction 1 to Order L-30-d to make pressure canners of the types it covers.

(e) *Special provisions for preferred orders.* (1) Aluminum may be used in making articles on Schedule A to fill preferred orders. "Preferred orders" are purchase orders or contracts for articles which will be ultimately delivered to the Army or Navy of the United States, the Veterans Administration, the U. S. Maritime Commission or the War Shipping Administration, or to other persons pursuant to authorization of the U. S. Maritime Commission on Form WPB-646 (formerly PD-300).

(2) Applications for allotments and for authorized production schedules to fill preferred orders should be made by filing Form CMP-4B.

NOTE: Paragraphs (f) through (j), inclusive, formerly paragraphs (d) through (h), redesignated Nov. 16, 1944.

(f) *Reports.* Every person who uses aluminum in making cooking utensils, kitchenware or household articles, as permitted in paragraph (b) (1) of this order shall file such reports as the War Production Board may specify from time to time subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(g) *Applicability of other orders and regulations.* This order and all transactions affected by it are subject to all other applicable orders and regulations of the War Production Board.

(h) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Appeals.* No appeals should be filed from the provisions of this order.

(j) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-30-e.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of November 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### SCHEDULE A

Commercial cooking utensils.  
Household cooking utensils.  
Dinner palls.  
Ice cream dippers.  
Ice trays for Domestic Mechanical Refrigerators.  
Lunch boxes.

Other kitchenware and miscellaneous household articles.  
Trays.  
Vacuum bottles.

[F. R. Doc. 44-17544; Filed, Nov. 16, 1944; 11:19 a. m.]

#### PART 3293—CHEMICALS

[Allocation Order M-214, Revocation]

#### PHTHALIC ANHYDRIDE, MALEIC ANHYDRIDE AND MALEIC ACID

Section 3293.291 Allocation Order M-214 is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Phthalic anhydride, maleic anhydride and maleic acid are subject to allocation under General Allocation Order M-300 as Appendix A materials, subject to Schedule 67 (phthalic anhydride) and Schedule 68 (maleic anhydride and maleic acid) issued simultaneously with this revocation.

Regular and interim allocations heretofore issued under Order M-214 are effective under Schedules 67 and 68, but are limited in duration as if originally issued under these schedules.

Issued this 16th day of November 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-17546; Filed, Nov. 16, 1944; 11:19 a. m.]

#### PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 67]

#### PHTHALIC ANHYDRIDE

§ 3293.1067 Schedule 67 to General Allocation Order M-300—(a) *Definition.* "Phthalic anhydride" means the anhydride of phthalic acid in any form and from any source.

(b) *General restrictions.* Phthalic anhydride is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is October 1, 1942, when phthalic anhydride was first put under allocation by Order M-214 (revoked). The allocation period is the calendar month and the small order exemption is 10 pounds per person per month.

(c) *Transition from M-214.* Regular and interim allocations heretofore issued under Order M-214 are effective under this schedule, but are limited in duration as if originally issued under this schedule. Pending applications need not be refilled.

(d) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601). Filing date is the 22d day of the month before the requested allocation month. File separate sets of forms for each plant of applicant. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C.,

Ref: M-300-67. The unit of measure is pounds. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(e) *Customers' applications on Form WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 15th day of the month before the requested allocation month. File separate sets of forms for each supplier. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-67, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. Fill in Column 3 in terms of the following:

Esters (identify).  
Resins (identify).  
Dyes and intermediates (identify).  
Cellophane.  
Rubber.  
Phthalic chloride.  
Pharmaceuticals and food.  
Miscellaneous.  
Other primary product (specify).  
Export (as phthalic anhydride).  
Inventory (as phthalic anhydride).  
Resale (as phthalic anhydride).

Specify end use in Column 4 as required by paragraph 11-a of Appendix E of Order M-300. Fill in other columns of Table I and fill in Tables II and III, as indicated.

Fill in Table IV for each primary product listed in Column 3 of the application, except products under direct allocation, such as phthalic alkyd resins. In Table V specify quantity of phthalic anhydride used in previous month for each primary product (specify the product in Column 23 and the quantity in Column 24, under the heading "Pounds consumed last month").

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-67.

Issued this 16th day of November 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-17547; Filed, Nov. 16, 1944; 11:19 a. m.]

#### PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 68]

#### MALEIC ANHYDRIDE AND MALEIC ACID

§ 3293.1068 Schedule 68 to General Allocation Order M-300—(a) *Definitions.* (1) "Maleic anhydride" means the anhydride of maleic acid in any form and from any source.

(2) "Maleic acid" means maleic acid in any form and from any source.



(b) *General restrictions.* Maleic anhydride and maleic acid are subject to allocation under General Allocation Order M-300 as Appendix A materials. The initial allocation date is November 1, 1943, when maleic anhydride and maleic acid were first put under allocation by Order M-214 (revoked). The allocation period is the calendar month and the small order exemption per person per month is 175 pounds aggregate of maleic anhydride and maleic acid.

(c) *Transition from M-214.* Regular and interim allocations heretofore issued under Order M-214 are effective under this schedule, but are limited in duration as if originally issued under this schedule. Pending applications need not be refilled.

(d) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601). Filing date is the 22nd day of the month before the requested allocation month. File separate sets of forms for maleic anhydride and maleic acid and for each plant of applicant. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref. M-300-68. The unit of measure is pounds. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(e) *Customers' application on Form WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 15th day of the month before the requested allocation month. File separate sets of forms for each supplier and specify in Grade Columns 1, 11 and 19 whether quantities indicated are maleic anhydride or maleic acid. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-68, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. Fill in Column 3 in terms of the following:

- Resins (Identify).
- Substituted drying oils (Identify).
- Fumaric acid.
- Wetting agents.
- Rubber.
- Leather processing.
- Miscellaneous.
- Other primary product (specify).
- Export (in original form).
- Inventory (in original form).
- Resale (in original form).

Specify end use in Column 4 as required by paragraph 11-a of Appendix E of Order M-300. However, opposite resins, substitute drying oils or fumaric acid in Column 3, fill in Column 4 in accordance with the end use groupings of WPBI-1943. Fill in other columns of Table I, and fill in Tables II and III, as indicated.

Fill in Table IV for each primary product listed in Column 3 of the application, except products under direct allocation, such as phthalic alkyd resins.

In Table V specify quantity of maleic anhydride and maleic acid used in previous month for each primary product (specify the product in Column 23, pounds of maleic anhydride in Column

24 and pounds of maleic acid in Column 25, all under the heading "Pounds consumed last month").

(f) *Budget bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-68.

Issued this 16th day of November 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-17548; Filed, Nov. 16, 1944;  
11:19 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER,  
BALATA AND PRODUCTS THEREOF

[Rubber Order R-1, Appendix III, as Amended  
Nov. 16, 1944]

Appendix III to Rubber Order R-1 as amended is divided into two parts. Part A contains regulations applicable to the distribution or use of end products. Part B contains special or temporary manufacturing regulations which for the most part involve the conversion of products from crude rubber to synthetics. Part B manufacturing regulations govern in case of inconsistency with other provisions of Rubber Order R-1.

Appendix III will be reissued from time to time for the purpose of deleting or revising special or temporary regulations.

A. End Product Regulations

§ 4600.30 *Acquisition of tires and tubes for original equipment.* In order to obtain tires and tubes for original equipment, a manufacturer must certify his purchase order in substantially the following form signed by an authorized official unless the tires are subject to the Tire Allotment Plan (Appendix IV of this order), in which case the tires may be obtained only under Appendix IV:

The undersigned hereby certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the tires listed on the attached purchase order are required by him for mounting on original equipment and that the deliveries specified will not result at any time in an inventory exceeding 30 days' supply based upon his total authorized monthly production.

-----  
Authorized official.

Use of the above certification constitutes a representation that the deliveries scheduled will not result in the acquisition of more tires and tubes (including inventory) than are required for the particular manufacturer's production of vehicles or equipment during the 30-day period following each scheduled delivery. In the event of a decrease in the number of products actually required, the manufacturer shall notify his supplier of the reduction, and the scheduled deliveries shall be revised accordingly.

§ 4600.31 *Acquisition of industrial type tires and tubes—and solid tires for replacement purposes.* (a) No person shall deliver or accept delivery of any pneumatic tire described in paragraph (b) below for replacement on any passenger automobile, motorcycle, bus, farm implement, farm tractor or commercial motor vehicle except in accordance with OPA Ration Order 1A. The following certification procedure is applicable only to new pneumatic tires and tubes of the sizes and types described below for replacement on other types of vehicles and equipment and to any industrial or highway solid tire for replacement purposes regardless of the type of vehicle or equipment.

For example, a person who wishes to replace a straight side pneumatic tire in size 4.00-12 on a passenger car or small delivery truck, may do so only under the ration order. On the other hand, a person who requires the same tire for replacement on material handling equipment such as an industrial power truck uses the certification procedure.

Replacement tires or tubes of the following types are subject to the provisions of the ration order, even though the tires or tubes are required for industrial equipment: passenger, motorcycle, truck-bus and special purpose, or farm tractor-implement.

(b) *Certification of purchase orders.* No person shall deliver any tires or tubes for replacement purposes (except as otherwise provided in OPA Ration Order 1A) in the following classifications:

(1) Any straight side pneumatic tire designed primarily for industrial use up to and including size 4.50-12 and the following sizes: 6.00-9, 7.50-10, 7.50-15 (4-ply, smooth tread only) and 9.00-10;

(2) Any single tube pneumatic tire designed primarily for industrial use;

(3) Any industrial or highway solid tire:

Unless the person acquiring the same shall attach to his purchase order a certification in substantially the following form signed by an authorized official either manually or as provided in Priorities Regulation No. 7:

The undersigned hereby certifies to-----  
----- (insert name and address of seller) and to the War Production Board that he is familiar with Rubber Order R-1 and that the products listed on this purchase order are required by him for replacement purposes within 30 days from the date of this certification and do not include any pneumatic tires or tubes for any passenger automobile, motorcycle, bus, farm implement, farm tractor, or commercial motor vehicle.

-----  
Date

-----  
Name of Purchaser

-----  
Authorized Official

Definitions of the vehicles and equipment for which replacement tires or tubes may not be obtained by certification are set forth in OPA Ration Order 1A.

(c) *Preference ratings.* Tires and tubes which are subject to the foregoing certification procedure may be produced or delivered to fill civilian orders for replacement purposes (identified by cer-

tification) without regard to preference ratings. Any rating purporting to be applied or extended to any such tires or tubes for replacement purposes shall be void and no person shall give any effect to it except in filling Government orders.

§ 4600.32 *Hydraulic hose.* (a) No hose manufacturer shall deliver any of the following types of hose to any person except as specifically authorized by the War Production Board under this section:

(1) High pressure 1-wire, 2-wire, and 3-wire braided.

(2) Medium pressure hose—Specification AN-H-6a.

(3) Low pressure—Specification AN-ZZ-H-626a.

(b) On or about the 20th of each month, each hose manufacturer will receive written authorization to make certain shipments during the following calendar month. The authorized shipments will cover his production for that month.

(c) Persons to whom shipments are authorized to be made under paragraph (b) will receive, on or about the 20th of each month, written directions from the War Production Board specifying the purposes for which this hose may be used. No person may use any such hose contrary to these directions.

(d) In some cases hose manufacturers will be authorized to ship certain quantities of hose through regular trade channels without restriction, and such hose may be purchased and used freely. Persons for whom direct shipments have not been authorized under paragraph (b) and who are unable to obtain hose through regular trade channels under this paragraph (d), may apply to the Rubber Bureau, War Production Board, Washington 25, D. C., for authorization to obtain hose. The application should describe the end use and state the amount of hose required by size and type. Authorizations will be granted only in cases where the proposed end use is highly essential to the war effort.

(e) Each manufacturer of the above types of hose shall report by letter to the Rubber Bureau, War Production Board, the quantities shipped by him during each calendar month by size, type, claimant agency and customer. This report should be filed on or before the 10th day of the month following the month covered by the report.

§ 4600.33 *Crude rubber and latex gloves.* No person shall sell any light weight gloves manufactured from crude rubber or natural latex except in accordance with the following regulations:

(a) *Sales to institutions.* Sales may be made to institutions such as hospitals, dispensaries and clinics, which use the ratings assigned to them under CMP Regulation 5A to obtain crude rubber or

latex gloves for use by their professional personnel in connection with the practice of medicine. Use of the certification provided in that regulation constitutes a representation by the institution to its supplier that it requires light weight gloves manufactured from crude rubber or latex for use by its professional personnel in connection with the practice of medicine.

Sales may also be made to an institution, without a rating, upon certification by the institution to its supplier in substantially the following form:

The undersigned hereby certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the light weight rubber gloves specified in the attached purchase order are required by (insert name of institution) for use by its professional personnel in connection with the practice of medicine.

Date:

-----  
Signature and Title of Authorized  
Official

(b) *Sales to physicians.* Sales may be made to a practicing physician for professional use but only upon certification by the physician to his supplier in substantially the following form:

The undersigned hereby certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that he is a practicing physician and that the light weight gloves purchased are required by him for use in the practice of his profession.

Date:

-----  
Signature and Title of Authorized  
Official

(c) *Exempt orders.* U. S. Army and Navy orders and orders of The American Red Cross may be filled without regard to the restrictions of this section.

(d) *Resale.* A person may sell crude rubber or latex gloves to another person for resale under this section, but only upon certification by the purchaser to his supplier in substantially the following form:

The undersigned hereby certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the light weight rubber gloves specified in the attached purchase order will be sold only under the restrictions contained in Rubber Order R-1 as amended, and that he is familiar with said restrictions.

Date:

-----  
Signature and Title of Authorized  
Official

Any person who has filed the above certification with his supplier need not certify subsequent purchases from the same supplier.

§ 4600.34 *Miscellaneous products.* No person shall deliver any of the following listed products to fill civilian orders unless the purchaser certifies to his supplier in substantially the following form:

The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States

Criminal Code, that the products purchased by him are required for a permitted use specified in Rubber Order R-1, in connection with his business or profession (or if reseller, substitute the following clause—that the products purchased by him will be sold only in accordance with Rubber Order R-1 as amended).

-----  
Purchaser or authorized official.

This section does not apply to Government orders.

*Product description*  
Fabric backed pressure sensitive tape (except high heat resistant and non-corrosive electrical tape).

*Permitted uses*

Repair of transportation facilities; Maintenance and manufacture of industrial and mining equipment; the manufacture of the following products and parts thereof: (a) Aircraft, (b) Armored tanks, (c) Ships, (d) Army transport vehicles, (e) Guns, (f) Small arms, (g) Signalling devices, (h) Precision instruments, (i) Munitions, (j) Electrical equipment, (k) Machine tools, (l) Vehicles for common carriers and related transportation facilities. Splicing cotton jacketed cellulose gaskets for sealing drums and paint pails; production and shipping of photographic and motion picture film and X-ray film; sealing containers used to maintain sterility or vacuum in the manufacture of medicine and drugs; industrial and wholesale packaging of drugs and chemicals.

A person who has filed the above certification with his supplier need not certify subsequent purchases of the same products. The certification shall be deemed applicable to all purchases.

A supplier may continue to fill orders for fabric backed pressure sensitive tape under the form certification previously required for purchases of pressure sensitive tape.

#### B. *Temporary or Special Manufacturing Regulations*

§ 4600.40 *Tires and tubes.* The following regulations are applicable to tires and tubes notwithstanding other regulations contained in Rubber Order R-1 as amended:

(a) [Deleted Aug. 25, 1944.]

(b) *Synthetic construction, airplane tires.* List 29, Appendix II, regulates the manufacture of airplane tires, but synthetic construction shall be used in the manufacture of airplane tires in accordance with the following regulations:

NOTE: Last item of table deleted Nov. 16, 1944.

Size	Synthetic construction	Mandatory date
4, 6 and 8 ply (including Nylon construction)	S-6	May 1, 1944
10 and 12 ply (excepting Nylon construction)	S-6	Do.
10x3/4 ply HPA (excepting Nylon construction)	S-4	June 1, 1944
6.00-6/4 ply LPL (excepting Nylon construction)	S-4	Do.
6.50-10/6 ply LPL (excepting Nylon construction)	S-4	Do.
7.00-6/4 ply LPL (excepting Nylon construction)	S-4	Do.
6.50-10/6 ply LPL (excepting Nylon construction)	S-4	Do.
7.00-6/4 ply LPL (excepting Nylon construction)	S-4	Do.
7.50-10/6 ply LPL (excepting Nylon construction)	S-4	Do.
8.00-10/6 ply LPL (excepting Nylon construction)	S-4	Do.
8.50-12.50/4 ply LPL (excepting Nylon construction)	S-4	Do.
5.00-4/6 ply LPA (excepting Nylon construction)	S-4	Do.
7.00-5/4 ply LPA (excepting Nylon construction)	S-4	Do.
8.00-5/6 ply LPA (excepting Nylon construction)	S-4	Do.
9.50-12/6 ply LPBG (excepting Nylon construction)	S-4	Do.
11.00-12/8 ply LPBG (excepting Nylon construction)	S-4	Do.
10 and 12 ply (including Nylon construction)	S-6	July 1, 1944
14 ply and up (excepting Nylon construction)	S-6	Aug. 1, 1944
All 4, 6 and 8 ply (excepting Nylon construction)	S-4	Do.
14 ply and up (including Nylon construction)	S-6	Sept. 1, 1944

When nylon is used the S-6 or S-4 construction may be used at the option of the manufacturer and subject to the approval of the procuring agency, in which case those regulations designated for S-6 and S-4 constructions shall apply to nylon tires. If the S-6 or S-4 construction is not used with nylon prior to the date on which it is mandatory, as shown above, then the S-5 (or S-7) construction shall be used and shall conform to the regulations for S-5 (or S-7) construction as set forth in List 22, Appendix II, Rubber Order R-1, as amended.

Airplane tires in 14 plies and up may be manufactured in S-6 construction at the option of the manufacturer and subject to the approval of the procuring agency, in which case those regulations designated for S-6 construction shall apply. If the S-6 construction is not used prior to the date on which it is mandatory, as shown above, then the S-5 (or S-7) construction shall be used and shall conform to the regulations for S-5 (or S-7) construction as set forth in List 22, Appendix II, Rubber Order R-1, as amended.

- (c) [Deleted Nov. 16, 1944.]
- (d) [Deleted Aug. 25, 1944.]
- (e) [Deleted Aug. 25, 1944.]
- (f) [Deleted Nov. 16, 1944.]
- (g) [Deleted Nov. 16, 1944.]

§ 4600.41 *Wire and cable.* The following regulations are applicable to wire and cable notwithstanding other regulations of Rubber Order R-1 as amended.

(a) *Insulation.* List 27, Appendix II, regulates the use of crude rubber and

latex in wire and cable insulation. Until October 1, 1944, the following ignition cables may be manufactured in accordance with the regulations set forth below:

Item	Specification	Insulation compound
Aircraft ignition cable..	82427 AN-JC-66.....	W-AA. W-AA.

§ 4600.42 *Airborne life rafts.* No more crude rubber and natural latex by weight than specified below (including building cements) may be consumed per unit in the manufacture of the following airborne life rafts:

Type:	Maximum content crude and latex in pounds (total)
C-2.....	4.50
A-3.....	11.15
E-2.....	16.00
Mark II M-3-R.....	4.75
Mark IV M-3-R.....	7.00
Mark VII M-3-R.....	9.00
Neoprene sandwich:	
A-3.....	9.00
E-2.....	12.00

§ 4600.43 *GR-I plant clean-up material.* (a) "GR-I (Butyl) plant clean-up material" means GR-I (Butyl) from which the contamination of foreign matter has not been completely removed and the plasticity of which varies. In some cases this material has been strained.

(b) Notwithstanding restrictions applicable to the consumption of GR-I (Butyl), any person may consume GR-I plant clean-up material in the manufacture of any product listed in Appendix I to Rubber Order R-1 as amended, without specific authorization from the War Production Board.

(c) Purchase requests for GR-I plant clean-up material should be made on Form WPB-3682 in accordance with instructions accompanying the form. GR-I plant clean-up material must be specified on the form.

Issued this 16th day of November 1944.  
(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379 as amended by E.O. 9475, 9 F.R. 10817; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64)

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-17549; Filed, Nov. 16, 1944; 11:19 a. m.]

Chapter XI—Office of Price Administration  
PART 1305—ADMINISTRATION  
[Rev. Supp. Order 10, Correction]

JUDICIAL SALES

References in section 2 (d) of the order to MPR 139, RMPR 213 and MPR 341 are

corrected to read respectively, RMPR 139, 2d RMPR 213, and RMPR 341.

Issued this 16th day of November 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-17555; Filed, Nov. 16, 1944; 11:50 a. m.]

PART 1334—SUGAR, CONFECTIONERY AND SOFT DRINKS

[RPS 60, Amdt. 13]

DIRECT CONSUMPTION SUGARS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

1. Section 1334.51 (a) (2) (i) is amended to read as follows:

(i) Maximum prices for a primary distributor of direct consumption sugar for grades and packages not provided for in the above shall be as follows:

Maximum prices on sales to any Procurement Agency of the United States Government where the grade sold to such procurement agency is identical with one previously produced by the selling primary distributor, but where the packaging is different shall be determined by the provisions of Revised Supplementary Order 34 issued by the Office of Price Administration. Where the grade is not identical with one previously produced by the selling primary distributor the maximum price shall be determined per 100 pounds net for such new grade and package by adding to his maximum basis price per 100 pounds net single cotton bag granulated sugar the difference in direct cost between manufacturing and packaging the new item and manufacturing and packaging the 100 pound single cotton bag granulated sugar. Each maximum price determined under the foregoing provisions shall be reported with a detailed explanation of costs to the Sugar Section, Food Price Division, Office of Price Administration, Washington, D. C., within 30 days after the first delivery.

Maximum prices on sales of a new grade or new package for civilian consumption, which is identical in grade, net weight and packing material with that of any other primary distributor shall be determined by adjusting the selling primary distributor's maximum base price by the use of the same differential properly established on that date by the primary distributor with such differential located nearest freightwise to him.

If the new grade or package, to be sold for civilian consumption is not so identical with that produced by another primary distributor he shall obtain a maximum price for it by application to the Sugar Section, Food Price Division, Office of Price Administration, Washing-

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 1320, 2132, 2510, 5664, 6787, 8928, 8949, 8948; 8 F.R. 5809, 6044, 6424, 9288, 10079; 9 F.R. 5802, 10707.

ton, D. C., in which he shall give full data with a description of grade and package, detailed production and selling cost differences f. o. b. refinery between the new grade and package and the basis bag packing per 100 pounds at the date of application and corresponding figures for his most nearly like grades and packages figured currently and as of December 1, 1941, together with a request for a specific differential. After filing the application and pending authorization sales may be made (a) on open billing or (b) on pro forma collection price based on the requested differential with an agreement for refund to the purchaser of such sum as this price may exceed the maximum price when duly established or (c) on the basis of differential at which sales have heretofore been made prior to the effective date of that amendment.

2. Section 1334.53 is amended to read as follows:

§ 1334.53 *Sales at wholesale and retail.* Sales at wholesale and retail which are governed by Maximum Price Regulations 421, 422 and 423, as amended, are excepted from the operation of this regulation. Maximum prices on sales at retail by primary distributors to sugar cane and sugar beet farmers shall be the same as those specified in this regulation for other sales of primary distributors less the amount of the Federal excise tax.

This amendment shall become effective November 21, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of November 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-17561; Filed, Nov. 16, 1944;  
11:51 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS  
[FPR 1, Amdt. 1 to Supp. 3<sup>1</sup>]

PREPARED FLOUR MIXES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Food Products Regulation 1, Supplement 3, is amended in the following respects:

1. Section 1 (a) is amended by adding the phrase "Other prepared flour mixes....6" following the phrase "waffle mix....4."

2. Sections 5, 6, 7 and 8, respectively, are redesignated as sections 7, 9, 10 and 11, respectively.

3. A new section 5 is added to read as follows:

SEC. 5. *Maximum prices for processors' sales in bulk of other prepared flour*

*mixes.* (The pricing methods of this section apply to all processors' sales of prepared flour mixes other than pancake mix or waffle mix.)

(a) A processor's maximum price for the sale of any prepared flour mix in bulk; (that is, packaged in quantities greater than three pounds) shall be determined by taking the highest price:

(1) (i) On the same product, or if none (ii) On the most similar food product;

(2) (i) On a sale by him, or if none, (ii) On a sale by his closest competitor.

(3) (i) To the same class of purchasers, or if none, (ii) To a different class of purchasers adjusted to reflect the customary, or if none, the reasonable differential between the two classes.

(4) (i) Between September 28, 1942 and October 2, 1942, inclusive, or if none,

(ii) At the most recent time within one year previous to September 28, 1942.

4. A new section 6 is added to read as follows:

SEC. 6. *Maximum prices for processors' packaged sales of other prepared flour mixes.* The seller's maximum price for any packaged prepared flour mix, i. e., in quantities of 3 pounds or less, shall be determined as provided under the General Maximum Price Regulation except that it may be adjusted according to the provisions of this regulation.

5. Redesignated section 7 is amended by deleting the phrase "of pancake mix and waffle mix" from the headnote and from paragraph 2.

6. A new section 8 is added to read as follows:

SEC. 8. *Adjustment of maximum prices.* The Price Administrator may adjust any maximum price established under this regulation. Applications for adjustment shall be filed with the Office of Price Administration, Washington, D. C., in accordance with Revised Procedural Regulation No. 1. Adjustment may be made when it is found:

(a) That the applicant's existing maximum price is below the general level of prices prevailing for similar products sold to the same class of buyers in the same general area as that in which the applicant's product is sold; and

(b) The applicant is or will be unable to maintain his production of a particular product made in accordance with March or September 1942 formulae, at his maximum price determined under other sections of this regulation; and

(c) That the loss of his production would result in consumers having to pay higher prices for the most nearly similar product available; and

(d) That his current over-all earnings from all his activities are below those of a "representative peacetime period"; and

(e) That an increase in his maximum price will permit him to continue or to resume production of the specific product made in accordance with March or September 1942 formulae; and

(f) That an adjustment in his maximum price would, under all the circumstances, be in furtherance of the purposes of the Emergency Price Control Act of 1942, as amended.

The maximum price increase that may be granted to a processor or manufacturer under the provisions of this section shall not cause his price to exceed the general price level prevailing for similar products. Subject to this limitation, an increase may be granted not to exceed the total cost of the product, or if the applicant's earnings from all operations before income and excess profits taxes are low in comparison with those of a "representative peace-time period", adjusted for subsequent changes in investment, and if in view of such over-all earnings a small margin of profit is reasonably necessary to permit production, an increase may be allowed estimated to yield such a profit margin.

A "representative peace-time period" means the period of the years 1936 to 1939, inclusive. When 1936 to 1939 does not represent a reasonably normal pre-war (December 7, 1941) period, some other period may be used but its use must be positively justified in the application.

7. Redesignated section 10 is amended by deleting the numbers "6 (a)" and "8 (j)" and substituting therefor the numbers "9 (a)" and "11 (j)" respectively.

This amendment shall become effective November 21, 1944.

Issued this 16th day of November 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-17557; Filed, Nov. 16, 1944;  
11:50 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS  
[MPR 280,<sup>1</sup> Amdt. 51]

PREPARED FLOUR MIXES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Maximum Price Regulation 280 is amended in the following respects:

1. Section 1351.801 (e) is hereby revoked.

2. Section 1351.803b is hereby revoked.

This amendment shall become effective November 21, 1944.

Issued this 16th day of November 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-17560; Filed, Nov. 16, 1944;  
11:51 a. m.]

PART 1364—FRESH, CURED AND CANNED  
MEAT AND FISH PRODUCTS

[RMFR 239,<sup>2</sup> Amdt. 15]

LAMB AND MUTTON CARCASSES AND WHOLE-SALE CUTS

A statement of the considerations involved in the issuance of this amendment

<sup>1</sup> 9 F.R. 6520, 9090, 10358.

<sup>2</sup> 7 F.R. 10688, 8 F.R. 3589, 4786, 7679, 8677, 9066.

\*Copies may be obtained from the Office of Price Administration.  
<sup>1</sup> 9 F.R. 6724.

has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation No. 239 is amended in the following respects:

1. Section 1364.160 (a) (5) is amended by the addition of a sentence to read as follows:

Any selling establishment which satisfies the definition herein contained and which in addition sells or delivers lamb and/or mutton wholesale cuts to any purchasing agency of a war procurement agency and/or which sells fabricated lamb or mutton carcasses (War Shipping Administration Specifications) and/or which for a period not more than 90 days, beginning November 8, 1944, sells lamb and/or mutton wholesale cuts to other hotel supply houses or to wholesalers shall nevertheless be deemed to be a hotel supply house.

2. Paragraphs (c), (d) and (e) of § 1364.168 are redesignated (d), (e) and (f) respectively.

3. Paragraph (c) is added to § 1364.168 to read as follows:

(c) Upon a finding that there exists within any specified area or areas, quotas permitting sales of fabricated meat cuts which are insufficient to supply the requirements of purveyors of meals, and upon further finding that such condition has occurred because of an increase in population in such area or areas due to the establishment and maintenance of a project or projects connected directly with the war effort and under the direction and control of the United States Government, the Administrator at Washington, D. C., may by order, designate such area as a deficiency area for such period as he may prescribe and may, pursuant to such designation, authorize in writing named sellers to sell and deliver specified quantities of fabricated meat cuts for such period and subject to such terms and conditions as he may deem necessary.

4. Section 1364.169 (b) (1) (ii) is amended to read as follows:

(ii) From which delivery by the seller to the buyer's place of business begins; or

5. Section 1364.170 (a) is amended to read as follows:

(a) *Wholesaler's selling addition.* On the sale of any lamb and/or mutton item subject to this regulation, not obtained through custom slaughtering and excluding sales made pursuant to paragraphs (c) of § 1364.176 through § 1364.183, a person who at the time of the sale is a wholesaler may add \$1.00 per hundredweight to the applicable zone price: *Provided, however,* That after December 6, 1944, no person shall charge the addition permitted by this § 1364.170 (a) unless such person first shall have filed with the appropriate district office of the Office of Price Administration a signed statement that the person is a

wholesaler as defined in subdivisions (i) or (ii) of § 1364.174 (a) (3) and gives the address of his selling establishment.

The statement herein required must be filed on or after November 21, 1944, and the filing of such statement shall not preclude investigation by the Office of Price Administration of the facts relating to the nature of the business carried on by the person filing the statement, or any action or proceeding arising from such investigation. The statements required by this section may be combined with statements prepared pursuant to § 1364.35 (Schedule III) of Revised Maximum Price Regulation No. 148 and §§ 1364.454 (d) and 1364.469 (d) of Revised Maximum Price Regulation No. 169 for purposes of convenience.

6. Section 1364.174 (a) (3) is amended to read as follows:

(3) "Wholesaler" means a person (other than a hotel supply house or peddler truck seller or one who makes sales at retail, and who does not own or control, in whole or in substantial part, any slaughtering plant or facilities, and who is not owned or controlled, in whole or in substantial part, by another person who owns or controls in whole or in substantial part, any slaughtering plant or facilities) who maintains and operates a separate selling establishment equipped with reasonable and adequate cooling and storage facilities in such a manner that the total monthly poundage of meats and meat by-products resold out of stock carried in his separate selling establishment constitutes not less than 90 percent of the total monthly poundage of all meats and meat by-products resold by him who:

(i) Buys lamb and/or mutton for resale in the form of lamb and/or mutton carcasses and/or lamb and mutton wholesale cuts and who, during the thirty days immediately preceding November 8, 1944, maintained and operated a separate selling establishment equipped with reasonable and adequate cooling and storage facilities through which he consummated the major portion of such resales; or

(ii) Engaged in the business of buying lamb and/or mutton for resale in the form of lamb and/or mutton carcasses and/or lamb and mutton wholesale cuts during any three consecutive months in 1942, but discontinued such business during or after 1942, and who, during the last thirty days of the operation of such business maintained and operated a separate selling establishment equipped with reasonable and adequate cooling and storage facilities through which he consummated the major portion of such resales, who re-engages in the business of buying lamb and/or mutton for resale in the form of lamb and/or mutton carcasses and/or lamb and mutton wholesale cuts.

7. Section 1364.174 (a) (11) is amended to read as follows:

(ii) "Peddler truck sale" means a sale of lamb and/or mutton from a truck by a person who purchases lamb and/or mutton at or below the maximum price from a seller with whom he has no

other financial affiliations or relationships, who takes delivery at the seller's place of business, and who does not sell or deal in meat in any manner other than sales out of stock carried in a truck driven by him and which he has owned continuously since October 1, 1944, or one which replaces such a truck.

8. Subparagraphs (15) and (16) are added to § 1364.174 (a) to read as follows:

(15) "Slaughtering plant" means any place equipped and used for the commercial killing of calves, cattle, lambs, sheep or hogs, or which, if currently unused for that purpose, can be reconverted to such use without material alteration or delay.

(16) "Slaughtering facilities" means any equipment designed and used for the commercial killing of calves, cattle, lambs, sheep or hogs, or which, if currently unused for that purpose, can be reconverted to such use without material alteration or delay.

This amendment shall become effective November 21, 1944.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of November 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-17563; Filed, Nov. 16, 1944; 11:52 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 398, Amtd. 5]

VARIETY MEATS AND EDIBLE BY-PRODUCTS AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 398 is amended in the following respects:

1. Section 2 (b) (i) is amended to read as follows:

(i) Local delivery means delivery by any vehicle made by the seller to the place of business of the buyer or made to a point designated by a war procurement or government agency. A truck is not a place of business.

2. Section 12 is amended by changing the headnote to read "*Adjustable pricing and adjustment*" and by inserting "(a)" immediately after the headnote and before the word "Any".

3. Section 12 (b) is added to read as follows:

(b) The Regional Administrator of the appropriate Regional Office of the Office of Price Administration may, by order, authorize the sale or delivery of frozen stocks of "blemished calf livers" in any case in which the seller requests in writing such authorization on or be-

\*Copies may be obtained from the Office of Price Administration.

\* 8 F.R. 6945, 7351.

fore December 6, and alleges and proves the following:

(1) That prior to September 12, 1944, such seller had accumulated an inventory of frozen stocks of blemished calf livers designated "Livers, beef, calf, blemished", as this item was defined prior to the issuance of Amendment No. 4 to this regulation, consisting of calf livers weighing more than 5½ pounds mingled with those weighing under 5½ pounds, and

(2) That a portion of such accumulated inventory (indicating the total weight in pounds) still remains in the possession of the seller.

Upon proof of the foregoing, the Regional Administrator may authorize such seller to sell and/or deliver during a period of not more than 30 days from the effective date of such order, and subject to such further conditions as he may deem necessary, such portion of the accumulated inventory of frozen "blemished calf livers" at the maximum prices prevailing immediately prior to September 12, 1944, applicable to such sales.

4. The item "Tongues" appearing in alphabetical order in the table of section 13 (a) (1) is amended by the addition of a footnote reference<sup>1</sup> to appear after "15.00" below "Lamb and Mutton" and a table footnote<sup>1</sup> to read as follows:

<sup>1</sup> For lamb and mutton tongues which have not been scalded, skinned, and trimmed, the base price shall be \$13.00 per hundredweight.

5. The item "Tongues" appearing in alphabetical order in the table of section 13 (a) (1) is amended by the addition of a footnote reference<sup>2</sup> to appear after "16.00" below "Kosher Lamb and Mutton" and a table footnote<sup>2</sup> to read as follows:

<sup>2</sup> For Kosher lamb and mutton tongues which have not been scalded, skinned, and trimmed, the base price shall be \$14.00 per hundredweight.

6. The item "Livers" appearing in alphabetical order in the table of section 13 (a) (2) is hereby deleted.

7. The following items, "Livers, unblemished", "Livers, blemished" and "Livers, calf overweight" are added in alphabetical order in the table of section 13 (a) (2) to read as follows:

Variety meats and edible by-products	Beef	Veal	Lamb and mutton	Pork
Livers, unblemished.....	28.00	60.75	21.25	17.00
Livers, blemished.....	24.00	52.00	-----	-----
Livers, calf overweight.....	-----	35.00	-----	-----

8. Section 14 (g) is amended to read as follows:

(g) *Wholesaler's selling addition.* On the sale of variety meats and edible by-products not obtained through custom slaughtering, a person who at the time of the sale is a wholesaler may add \$1.00 per hundredweight to the applicable zone price: *Provided, however,* That after December 6, 1944, no person shall charge the addition permitted by this section 14 (g) unless such person first shall have

filed with the appropriate District Office of the Office of Price Administration a signed statement that the person is a wholesaler as defined in subdivision (i) or (ii) of the definition of wholesaler in section 16 (a) and gives the address of his selling establishment.

The statement herein required must be filed on or after November 21, 1944, and the filing of such statement shall not preclude investigation by the Office of Price Administration of the facts relating to the nature of the business carried on by the person filing the statement, or any action or proceeding arising from such investigation. The statements required by this section may be combined with statements prepared pursuant to § 1364.454 (d) of Revised Maximum Price Regulation No. 169, § 1364.35 (Schedule III) of Revised Maximum Price Regulation No. 148 and § 1364.170 (a) of Revised Maximum Price Regulation No. 239, for purposes of convenience.

9. The last sentence of the definition "Hotel supply house" contained in section 16 (a) is amended to read as follows:

Any selling establishment which satisfies the definition herein contained and which in addition sells or delivers frozen boneless beef (Army specifications) or ground beef and miscellaneous beef items to any purchasing agency of a war procurement agency and/or which sells fabricated beef or veal cuts (War Shipping Administration specifications) and/or which, for a period of not more than 90 days, beginning November 8, 1944, sells beef, veal, lamb and mutton wholesale cuts to other hotel supply houses, or to wholesalers, shall nevertheless be deemed to be a hotel supply house.

10. Subdivision (iv) of the definition of "purveyor of meals" contained in section 16 (a) is added to read as follows:

(iv) Any person operating an ocean-going vessel engaged in the transportation of cargo or passengers in foreign, coastwise or intercoastal trade, to the extent that meat or variety meats and edible by-products are delivered to him as ship's stores for consumption aboard such vessel.

11. The definition of "peddler truck sale" in section 16 (a) is amended to read as follows:

"Peddler truck sale" means a sale of variety meats and edible by-products from a truck by a person who purchases variety meats and edible by-products at or below the maximum price from a seller with whom he has no other financial affiliation or relationship, who takes delivery at the seller's place of business and who does not sell or deal in meat and/or variety meats and edible by-products in any manner other than sales out of stock carried in a truck driven by him and which he has owned continuously since October 1, 1944, or one which replaces such a truck.

12. The definition of "Wholesaler" in section 16 (a) is amended to read as follows:

"Wholesaler" means a person (other than a hotel supply house, or peddler

truck seller or one who makes sales at retail, and who does not own or control, in whole or in substantial part, any slaughtering plant or facilities, and who is not owned or controlled, in whole or in substantial part, by another person who owns or controls, in whole or in substantial part, any slaughtering plant or facilities), who maintains and operates a separate selling establishment equipped with reasonable and adequate cooling and storage facilities in such a manner that the total monthly poundage of meats and meat by-products sold out of stock carried in his separate selling establishment constitutes not less than 90 percent of the total monthly poundage of all meats and meat by-products sold by him, who:

(i) Buys variety meats and edible by-products for resale, and who, during the thirty days immediately preceding November 8, 1944, maintained and operated a separate selling establishment equipped with reasonable and adequate cooling and storage facilities through which he consummated the major portion of such resales, or

(ii) Engaged in the business of buying variety meats and edible by-products for resale during any three consecutive months in 1942, but discontinued such business during or after 1942, and who, during the last thirty days of the operation of such business, maintained and operated a separate selling establishment equipped with reasonable and adequate cooling and storage facilities through which he consummated the major portion of such resales, who re-engages in the business of buying variety meats and edible by-products for resale.

13. A definition of "slaughtering plant" is added to appear in alphabetical order in section 16 (a) to read as follows:

"Slaughtering plant" means any place equipped and used for the commercial killing of calves, cattle, lambs, sheep or hogs or which, if currently unused for that purpose can be reconverted to such use without material alteration or delay.

14. A definition of "slaughtering facilities" is added to appear in alphabetical order in section 16 (a) to read as follows:

"Slaughtering facilities" means any equipment designed and used for the commercial killing of calves, cattle, lambs, sheep or hogs, or which, if currently unused for that purpose, can be reconverted to such use without material alteration or delay.

15. The definitions of "Livers, beef, unblemished" appearing in alphabetical order in section 16 (b) is amended to read as follows:

"Livers, beef, unblemished" means (i) all livers of any weight obtained from the slaughter of cattle that have bright uniform color, light to chocolate brown, and which are free from cuts and mutilations; and (ii) all livers weighing more than 7½ pounds which are obtained from the slaughter of calves, and which are of bright uniform color, short and plump and fine grained in texture, and free from cuts and mutilations.

This amendment shall become effective November 21, 1944.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of November 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-17562; Filed, Nov. 16, 1944;  
11:51 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL  
COMMODITIES

[MPR 426, Amdt. 70]

FRESH FRUITS AND VEGETABLES FOR TABLE  
USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.\*

Section 15, Appendix I, paragraph (c), Table 10 is amended by adding a footnote reference 9 to the heading of Column 5 and by adding footnote 9 to read as follows:

\*During the period beginning November 16, 1944 and ending December 31, 1944, for tangerines produced in Florida, the Column 5 price shall be for Item 1—\$4.99, for Item 2—5.8¢ per pound, for Item 3—4.6¢ per pound and for Item 4—3.8¢ per pound.

This amendment shall become effective at 12:01 a. m., November 16, 1944.

Issued this 15th day of November 1944.

CHESTER BOWLES,  
Administrator.

Approved November 14, 1944.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 44-17507; Filed, Nov. 15, 1944;  
1:18 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMPR, Amdt. 84]

FLOUR MIXES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Section 2.3 (r) is revoked.

This amendment shall become effective November 21, 1944.

Issued this 16th day of November 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-17558; Filed, Nov. 16, 1944;  
11:51 a. m.]

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 2023, 2091, 2493, 4080, 4086, 4088, 4434, 4786, 4787, 4877, 5926, 5929, 6104, 6108, 6420, 6711, 7259, 7268, 7434, 7425, 7580, 7583, 7759, 7774, 7834, 8148, 9066, 9090, 9289, 9356, 9509, 9512, 9549, 9785, 9896, 9897, 10192, 10192, 10499, 10877, 10777, 10878, 11350, 11534, 11546, 12038, 12208, 12340, 12341, 12263, 12412, 12537, 12643.

PART 1499—COMMODITIES AND SERVICES  
[RMPR 165, Amdt. 2 to Supp. Service Reg. 14]

POWER LAUNDRIES IN MINNEAPOLIS—ST. PAUL  
AREA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1499.664 (a) (4) is amended to read as follows:

(4) *Laundry services not covered by this regulation.* The maximum prices for family laundry services at wholesale, for laundry services rendered by hotels to their guests and for laundry services other than family laundry services rendered by power laundries in the Minneapolis-St. Paul area shall be governed by Revised Maximum Price Regulation No. 165 (Services) or other applicable regulation.

This amendment shall become effective November 21, 1944.

(56 Stat. 23, 756; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of November 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-17564; Filed, Nov. 16, 1944;  
11:52 a. m.]

TITLE 38—PENSIONS, BONUSES, AND  
VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 10—INSURANCE

DEATH BENEFITS

Correction

In F. R. Doc. 44-17407, appearing at page 13668 of the issue for Wednesday, November 15, 1944, the date at the end of the document should be "November 15, 1944".

TITLE 49—TRANSPORTATION AND  
RAILROADS

Chapter I—Interstate Commerce  
Commission

[Rev. S. O. 242, Amdt. 1]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON CLOSED BOX CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 11th day of November A. D. 1944.

Upon further consideration of Service Order No. 242 (9 F.R. 12553) of October 13, 1944, and good cause appearing therefor:

It is ordered, That:

Service Order No. 242 (9 F.R. 12553) of October 13, 1944, be, and it is hereby, amended by changing paragraphs (c) (2) and (d) to read as follows:

<sup>1</sup> 9 F.R. 7439, 9107, 9411, 11178, 12040, 12969.

(c) (2) *Closed box cars.* This order shall apply to closed box cars having a mechanical designation in the current official Railway Equipment Register prefixed by "X" or "V", also "BX" but only when the latter cars are used in freight service.

(d) *Expiration.* This order shall expire at 7:00 a. m., December 3, 1944.

It is further ordered, That this order shall become effective at 7:00 a. m., November 19, 1944; that a copy of this order and direction shall be served upon each State regulatory body and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 44-17522; Filed, Nov. 16, 1944;  
11:02 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service: Bureau of the Public  
Debt.

[1944 Dept. Circ. 755]

2½ PERCENT TREASURY BONDS OF 1966-71

OFFERING OF BONDS

NOVEMBER 20, 1944.

I. *Offering of bonds.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for bonds of the United States, designated 2½ percent Treasury Bonds of 1966-71. The amount of the offering is not specifically limited.

2. These bonds will not be available for subscription, for their own account, by commercial banks, which are defined for this purpose as banks accepting demand deposits, except as follows: a commercial bank holding savings deposits or issuing time certificates of deposit (as each is defined in Regulation Q of the Board of Governors of the Federal Reserve System) may subscribe to the bonds offered hereunder, to the 2 percent Treasury Bonds of 1952-54 offered simultaneously herewith under Treasury Department Circular No. 756, and to Series F-1944 and Series G-1944 United States Savings Bonds, under Treasury Department Circular No. 654, Second Revision, as amended, but the amount of such subscriptions shall not exceed, in the aggregate, 10 percent of the combined amount of time certificates of deposit (but only those issued in the names of individuals, and of corporations, associations and other organizations not operated for

profit), and of savings deposits, as shown on the bank's books as of the date of the most recent call statement required by the supervising authorities prior to the date of subscription for such bonds, or \$500,000, whichever is less, except that the aggregate amount of Series F and Series G Savings Bonds (Series 1944) held by such bank may not exceed the annual limitation of \$100,000 (issue price).

II. *Description of bonds.* 1. The bonds will be dated December 1, 1944, and will bear interest from that date at the rate of 2½ percent per annum, payable on a semiannual basis on March 15 and September 15 in each year until the principal amount becomes payable. They will mature March 15, 1971, but may be redeemed at the option of the United States on and after March 15, 1966, in whole or in part, at par and accrued interest, on any interest day or days, on 4 months' notice of redemption given in such manner as the Secretary of the Treasury shall prescribe. In case of partial redemption the bonds to be redeemed will be determined by such method as may be prescribed by the Secretary of the Treasury. From the date of redemption designated in any such notice, interest on the bonds called for redemption shall cease.

2. The income derived from the bonds shall be subject to all Federal taxes, now or hereafter imposed. The bonds shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will be acceptable to secure deposits of public moneys. They will not be entitled to any privilege of conversion.

4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of \$500, \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury. Except as provided in section I of this circular, these bonds may not, before December 1, 1954, be transferred to or be held by commercial banks, which are defined for this purpose as banks accepting demand deposits; however, the bonds may be pledged as collateral for loans, including loans by commercial banks, but any such bank acquiring such bonds before December 1, 1954, because of the failure of such loans to be paid at maturity will be required to dispose of them in the same manner as they dispose of other assets not eligible to be owned by banks.

5. Any bonds issued hereunder which upon the death of the owner constitute part of his estate, will be redeemed at the option of the duly constituted representatives of the deceased owner's estate,

at par and accrued interest to date of payment.<sup>1</sup> *Provided:*

(a) That the bonds were actually owned by the decedent at the time of his death; and

(b) That the Secretary of the Treasury is authorized to apply the entire proceeds of redemption to the payment of Federal estate taxes.

Registered bonds submitted for redemption hereunder must be duly assigned to "The Secretary of the Treasury for redemption, the proceeds to be paid to the Collector of Internal Revenue at ----- for credit on Federal estate taxes due from estate of -----"

Owing to the periodic closing of the transfer books and the impossibility of stopping payment of interest to the registered owner during the closed period, registered bonds received after the closing of the books for payment during such closed period will be paid only at par with a deduction of interest from the date of payment to the next interest payment date;<sup>2</sup> bonds received during the closed period for payment at a date after the books reopen will be paid at par plus accrued interest from the reopening of the books to the date of payment. In either case checks for the full six months' interest due on the last day of the closed period will be forwarded to the owner in due course. All bonds submitted must be accompanied by Form PD 1782,<sup>3</sup> properly completed, signed and sworn to, and by a certificate of the appointment of the personal representatives, under seal of the court, dated not more than six months prior to the submission of the bonds, which shall show that at the date thereof the appointment was still in force and effect. Upon payment of the bonds appropriate memorandum receipt will be forwarded to the representatives, which will be followed in due course by formal receipt from the Collector of Internal Revenue.

6. Except as provided in the preceding paragraphs, the bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. It is requested that there be no trading in the securities allotted hereunder and no purchases of such securities other than on direct subscription until after December 16, 1944. Banking institutions generally may submit subscriptions for account of customers, but only

<sup>1</sup> An exact half-year's interest is computed for each full half-year period irrespective of the actual number of days in the half year. For a fractional part of any half year, computation is on the basis of the actual number of days in such half year.

<sup>2</sup> The transfer books are closed from February 16 to March 15, and from August 16 to September 15 (both dates inclusive) in each year.

<sup>3</sup> Copies of Form PD 1782 may be obtained from any Federal Reserve Bank or from the Treasury Department, Washington, D. C.

the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Others than banking institutions will not be permitted to enter subscriptions except for their own account. Subscriptions must be accompanied by payment in full for the amount of bonds applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of bonds applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, and to the limitations on commercial bank subscriptions prescribed in Section I of this circular, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par and accrued interest, if any, for bonds allotted hereunder must be made on or before December 1, 1944, or on later allotment: *Provided, however,* That bonds allotted to life insurance companies, to savings institutions, and to States, municipalities, political subdivisions and similar public corporations, and agencies thereof, may be paid for, in whole or in part, at par and accrued interest, at any time or times, with payment to be completed not later than February 28, 1945. One day's accrued interest is \$0.069 per \$1,000. Any qualified depository will be permitted to make payment by credit for bonds allotted to it for itself and its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its District.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, JR.,  
Secretary of the Treasury.

[F. R. Doc. 44-17521; Filed, Nov. 16, 1944;  
10:36 a. m.]

[1944 Dept. Circ. 756]

2 PERCENT TREASURY BONDS OF 1952-54  
OFFERING OF BONDS

NOVEMBER 20, 1944.

I. *Offering of bonds.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of



the United States for bonds of the United States, designated 2 percent Treasury Bonds of 1952-54. The amount of the offering is not specifically limited.

2. These bonds will not be available for subscription, for their own account, by commercial banks, which are defined for this purpose as banks accepting demand deposits, except as follows: a commercial bank holding savings deposits or issuing time certificates of deposit (as each is defined in Regulation Q of the Board of Governors of the Federal Reserve System) may subscribe to the bonds offered hereunder, to the 2½ percent Treasury Bonds of 1966-71 offered simultaneously herewith under Treasury Department Circular No. 755, and to Series F-1944 and Series G-1944 United States Savings Bonds, under Treasury Department Circular No. 654, Second Revision, as amended, but the amount of such subscriptions shall not exceed in the aggregate, 10 percent of the combined amount of time certificates of deposit (but only those issued in the names of individuals, and of corporations, associations and other organizations not operated for profit), and of savings deposits, as shown on the bank's books as of the date of the most recent call statement required by the supervising authorities prior to the date of subscription for such bonds, or \$500,000, whichever is less, except that the aggregate amount of Series F and Series G Savings Bonds (Series 1944) held by such bank may not exceed the annual limitation of \$100,000 (issue price).

II. *Description of bonds.* 1. The bonds will be dated December 1, 1944, and will bear interest from that date at the rate of 2 percent per annum, payable on a semiannual basis on June 15 and December 15 in each year until the principal amount becomes payable. They will mature December 15, 1954, but may be redeemed at the option of the United States on and after December 15, 1952, in whole or in part, at par and accrued interest, on any interest day or days, on 4 months' notice of redemption given in such manner as the Secretary of the Treasury shall prescribe. In case of partial redemption the bonds to be redeemed will be determined by such method as may be prescribed by the Secretary of the Treasury. From the date of redemption designated in any such notice, interest on the bonds called for redemption shall cease.

2. The income derived from the bonds shall be subject to all Federal taxes, now or hereafter imposed. The bonds shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will be acceptable to secure deposits of public moneys. They will not be entitled to any privilege of conversion.

4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of \$500, \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury.

5. The bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. It is requested that there be no trading in the securities allotted hereunder and no purchases of such securities other than on direct subscription until after December 16, 1944. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Others than banking institutions will not be permitted to enter subscriptions except for their own account. Subscriptions must be accompanied by payment in full for the amount of bonds applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of bonds applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, and to the limitations on commercial bank subscriptions prescribed in Section I of this circular, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par and accrued interest, if any, for bonds allotted hereunder must be made on or before December 1, 1944, or on later allotment: *Provided, however,* That bonds allotted to life insurance companies, to savings institutions, and to States, municipalities, political subdivisions and similar public corporations, and agencies thereof, may be paid for, in whole or in part, at par and accrued interest, at any time or times, with payment to be completed not later than February 28, 1945. One day's accrued interest is \$0.055 per \$1,000. Any qualified depositor will be permitted to make payment by credit for bonds allotted to it for itself and its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its District.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the

respective Districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, JR.,  
Secretary of the Treasury.

[F. R. Doc. 44-17520; Filed, Nov. 16, 1944;  
10:36 a. m.]

[1944 Dept. Circ. No. 757]

1¼ PERCENT TREASURY NOTES OF SERIES  
C-1947

OFFERING OF NOTES

I. *Offering of notes.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for notes of the United States, designated 1¼ percent Treasury Notes of Series C-1947. These notes will not be available for subscription, for their own account, by commercial banks, which are defined for this purpose as banks accepting demand deposits. The amount of the offering is not specifically limited.

II. *Description of notes.* 1. The notes will be dated December 1, 1944, and will bear interest from that date at the rate of 1¼ percent per annum, payable on a semiannual basis on March 15 and September 15 in each year until the principal amount becomes payable. They will mature September 15, 1947, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes shall be subject to all Federal taxes, now or hereafter imposed. The notes shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be accepted at par during such time and under such rules and regulations as shall be prescribed or approved by the Secretary of the Treasury in payment of income and profits taxes payable at the maturity of the notes.

4. The notes will be acceptable to secure deposits of public moneys.

5. Bearer notes with interest coupons attached will be issued in denominations of \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. The notes will not be issued in registered form.

6. The notes will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States notes.

III. *Subscription and allotment.* 1. Subscription will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. It is requested that there be no trading in the securities allotted hereunder and no purchases of such securities other than on direct subscription until after December 16, 1944. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Others than banking institutions will not be permitted to enter subscriptions except for their own account. Subscriptions must be accompanied by payment in full for the amount of notes applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of notes applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par and accrued interest, if any, for notes allotted hereunder must be made on or before December 1, 1944, or on later allotment. One day's accrued interest is \$0.035 per \$1,000. Any qualified depository will be permitted to make payment by credit for notes allotted to its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its district.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective districts, to issue allotment notices, to receive payment for notes allotted, to make delivery of notes on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr.,  
Secretary of the Treasury.

[F. R. Doc. 44-17519; Filed, Nov. 16, 1944;  
10:36 a. m.]

[1944 Dept. Circ. 758]

**7/8 PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES H-1945**

**OFFERING OF CERTIFICATES**

I. *Offering of certificates.* 1. The Secretary of the Treasury, pursuant to

the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for certificates of indebtedness of the United States, designated 7/8 percent Treasury Certificates of Indebtedness of Series H-1945. These certificates will not be available for subscription, for their own account, by commercial banks, which are defined for this purpose as banks accepting demand deposits. The amount of the offering is not specifically limited.

II. *Description of certificates.* 1. The certificates will be dated December 1, 1944, and will bear interest from that date at the rate of 7/8 percent per annum, payable semiannually on June 1 and December 1, 1945. They will mature December 1, 1945, and will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all Federal taxes, now or hereafter imposed. The certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer certificates with interest coupons attached will be issued in denominations of \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. It is requested that there be no trading in the securities allotted hereunder and no purchases of such securities other than on direct subscription until after December 16, 1944. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Others than banking institutions will not be permitted to enter subscriptions except for their own account. Subscriptions must be accompanied by payment in full for the amount of certificates applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par and accrued interest, if any, for certificates allotted hereunder must be made on or before December 1, 1944, or on later al-

lotment. One day's accrued interest is \$0.024 per \$1,000. Any qualified depository will be permitted to make payment by credit for certificates allotted to its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its District.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr.,  
Secretary of the Treasury.

[F. R. Doc. 44-17518; Filed, Nov. 16, 1944;  
10:36 a. m.]

**FEDERAL TRADE COMMISSION.**

[Docket No. 5088]

MASTER ENGRAVERS GUILD, ET AL.

**ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY**

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 14th day of November, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That George Biddle, a trial examiner of this Commission, be and hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, November 28, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Room 202, Post Office Building, Paterson, New Jersey.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusion of facts; conclusions of law; and recommendation for appropriate action of the commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 44-17553; Filed, Nov. 16, 1944;  
11:42 a. m.]

## OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 2098, Summary of Exhibit]

## COPYRIGHT INTERESTS HELD BY FRANCIS SALABERT

Vesting Order No. 2098 (8 F.R. 16463) executed by the Alien Property Custodian September 4, 1943, was filed with the Copyright Office on or about September 11, 1943 and with the Division of the Federal Register at 11:17 a. m., December 4, 1943. The Vesting Order vests in the Alien Property Custodian certain copyrights, copyright applications and rights relating thereto or interests therein of the French national, or in or relating to the works, named in the list attached hereto, all as more particularly set forth in the said Vesting Order which is available for public inspection at the Copyright Office, Library of Congress, at the Division of the Federal Register, and at the Office of the Secretary, Office of Alien Property Custodian. The French national whose interests are vested and the names of the works involved (together with the author of the work or other appropriate identification in certain cases), are listed below:

Francis-Salabert: There Are Some Things You Never Forget (Clare Kummer and Maurice Yvain, composers).

—: Just A Little Love (Yvain and Kummer, composers).

—: Your Lips (Yvain and Kummer, composers).

—: Up There (Yvain and Kummer, composers).

—: Love's Own Flower (Albert Willemetz, Jacques Charles, Jose Padilla and Russell Bennett, composers; Salabert, registered copyright owner).

—: Java, La (Willemetz, Charles, Tott Seymour and Yvain, composers).

—: Mary Rose (Yvain and Gene Buck, composers).

—: Do I Love You (When There's Nothing But Yes in My Eyes) (H. Christine and E. Ray Goetz, composers).

—: Lonely (Yvain, P. Cartoux, E. Castil and Leo Robin, composers).

—: Parce (Padilla and Robin, composers).

—: Valoncia (Padilla, Lucien Boyer, Charles and Clifford Grey, composers; Salabert, registered copyright owner).

—: Valentine (Willemetz, Christine and Herbert Reynolds, composers; Salabert, registered copyright owner).

—: Under a Roof in Paris (Raoul Moretti, Rene Nazelles and Irving Caesar, composers).

—: It's Not Like That (E. Moretti, R. Nozelles, Ned Washington, composers).

—: If You Were Mine (A. Bernard, Ph. Pares, G. Van Parys, Rene Clair and Samuel M. Lerner, composers).

—: I Need New Words (Jean Delettre, Maurice Aubret and E. Y. Harburg, composers).

—: D'Amour En Amour (Leo Lellevre and Jean Delettre, composers; Editions Salabert, registered copyright owner).

It hereby is certified that the foregoing list is a true summary of the contents of the exhibit attached to and forming a part of Vesting Order No. 2098, filed with the Division of the Federal Register at 11:17 a. m., December 4, 1943.

[SEAL] JOHN WATSON,  
Assistant Secretary for Records.

[F. R. Doc. 44-17414; Filed, Nov. 14, 1944; 11:32 a. m.]

[Vesting Order 2099, Summary of Exhibit]

## COPYRIGHT INTERESTS HELD BY CERTAIN NATIONALS OF ITALY, GERMANY, HUNGARY AND AUSTRIA

Vesting Order No. 2099 (8 F.R. 2099) executed by the Alien Property Custodian September 4, 1943, was filed with the Copyright Office on or about September 11, 1943 and with the Division of the Federal Register at 11:17 a. m., December 4, 1943. The Vesting Order vests in the Alien Property Custodian certain copyrights, copyright applications and rights relating thereto or interests therein of the persons, or in or relating to the works, named in the list attached hereto, all as more particularly set forth in the said Vesting Order which is available for public inspection at the Copyright Office, Library of Congress, at the Division of the Federal Register, and at the Office of the Secretary, Office of Alien Property Custodian. The foreign nationals whose interests are vested and the names of the works involved (together with the author of the work or other appropriate identification in certain cases), are listed below by country:

## ITALY

Fernando Tanara: Nina (Fernando Tanara, composer; A. de Leva, author; Sigmund Spaeth, translator; G. Schirmer, Inc., registered copyright owner).

Attilio Parelli: I dispettosi amanti (Parelli, composer; G. Schirmer, Inc., registered copyright owner).

—: Invocation to Venus (Parelli, composer; E. Comitti, author; Spaeth, translator; G. Schirmer, Inc., registered copyright owner).

Moltrasio & Luzzato: Lullaby for Liana (Renato Bellini, composer; Pio de Flavii, author; Phyllis Lintott, translator; G. Schirmer, Inc., registered copyright owner).

—: Ring Around the Roses (Bellini, composer; Flavii, author; Lintott, translator; G. Schirmer, Inc., registered copyright owner).

A. & G. Garisch & Co: Sul Monti (F. Paolo Frontini, composer; Carisch and Janichen, registered copyright owner).

—: Sarabande (F. Frontini, composer; Carisch and Janichen, registered copyright owner).

—: First Steps of the Violinist (Arturo E. Strutt, composer; Carisch and Janichen, registered copyright owner).

—: Desir d'amour (Frontini, composer).

—: Saltarelle Sicilliane (Frontini, composer; Carisch and Janichen, registered copyright owner).

—: Idylle (Frontini, composer; Carisch and Janichen, registered copyright owner).

—: Danza Spannola (Frontini, composer; Carisch and Janichen, registered copyright owner).

—: Barcarolle (Frontini, composer).

## GERMANY

Wiener Boheme Verlag: O'Katharina (L. Wolfe Gilbert, Beda, Richard Fall, composers; Wiener Boheme Verlag, registered copyright owner).

Albert Stahl: Harmony Modernized (Max Loewengard, author; Theodore Baker, translator; G. Schirmer, Inc., registered copyright owner).

N. Simrock, G. M. B. H.: The Mirror Lake (Walter Niemann, composer; G. Schirmer, Inc., registered copyright owner).

—: A Chinese Quarrel (Niemann, composer; G. Schirmer, Inc., registered copyright owner).

—: Song of the Malay Fisherman (Niemann, composer; G. Schirmer, Inc., registered copyright owner).

—: In the Chinese City (Niemann, composer; G. Schirmer, Inc., registered copyright owner).

—: Moonlight Beneath the Palms (Niemann, composer; G. Schirmer, Inc., registered copyright owner).

—: Japanese Teahouse (Niemann, composer; G. Schirmer, Inc., registered copyright owner).

—: First Violet (August Nolck, composer).

—: Spring Greeting (Nolck, composer). Heinrichshofen's Verlag: Ninon (Leon Jessel, composer).

—: Throwing Kisses (Jessel, composer).

—: Une Page d'amour (Jessel, composer).

—: Roses of Love (Jessel, composer).

Joseph Koesel-Friedrich Pustet: Rosary and Soul of Woman (Sister Mary Aloysi Kiener, author; Fr. Pustet Co. Inc., registered copyright owner).

Thalia Theatre Verlag: Puppchen (Jean Gilbert, composer; Joh. Doeber & Tom Clark, arrangers; G. Schirmer, Inc., registered copyright owner).

Hermann Reutter: Rose-Tree and Elder Sweet (Reutter, composer; G. Schirmer, Inc., registered copyright owner).

—: Maiden, oh, come, come, come (Reutter, composer; G. Schirmer, Inc., registered copyright owner).

—: Lauterbach (Reutter, composer; G. Schirmer, Inc., registered copyright owner).

—: Must I Go, Must I Go (Reutter, composer; G. Schirmer, Inc., registered copyright owner).

—: The Loreley (Friedrich Silcher, composer; Heinrich Heine, author; Reutter, arranger; Amy Clare Griffin, translator; G. Schirmer, Inc., registered copyright owner).

—: In Yonder Shady Vally (Friedrich Gluck, composer; Reutter, arranger; G. Schirmer, Inc., registered copyright owner).

Friedrich Pustet: Blessed Are They that Hunger (Sister Mary Hildegard Windecker, author; Fr. Pustet Co. Inc., registered copyright owner).

—: Liturgical Worship (Rev. Otto Eisenzimmer, author; Fr. Pustet Co. Inc., registered copyright owner).

Rev. Fulgentius Krebs, O. M. Cap.: Mother Love (Rev. Fulgentius Krebs, O. M. Cap., author; Fr. Pustet Co. Inc., registered copyright owner).

Bonifacius Druckeret: Splendor and Strength of the Inner Life (Sister Mary Aloysi Kiener, author; Fr. Pustet Co. Inc., registered copyright owner).

## HUNGARY

Mrs. D'Lehgyel Jozsei-ne: To a Dance Rhythm (S. Camillo Engel, composer; G. Schirmer, Inc., registered copyright owner).

—: Barcarolle (J. Offenbach, composer; Engel, arranger; G. Schirmer, Inc., registered copyright owner).

## AUSTRIA

Estate of Eugene Gruenberg: Elementary Violin Lessons (Gruenberg, composer).

Franz Drdla: Love Song (Drdla, composer; Theodore Presser Co., registered copyright owner).

—: Cavatina in C, Op. 101, No. 1 (Drdla and O. A. Mansfield composers; Theodore Presser Co., registered copyright owner).

—: Love Songs, Op. 201, No. 1 (Drdla and Mansfield, composers; Theodore Presser Co., registered copyright owner).

—: Twilight Meditation (Drdla, composer; Theodore Presser Co., registered copyright owner).

—: Pastorella, Op. 192, No. 2 (Drdla, composer; Theodore Presser Co., registered copyright owner).

—: Dragon Flies (Drdla, composer; Theodore Presser Co., registered copyright owner).  
 —: Court Minuet (Drdla, composer; Theodore Presser Co., registered copyright owner).  
 —: Bolero (Drdla, composer; Theodore Presser Co., registered copyright owner).  
 —: Cavatina, Op. 191 No. 1 (Drdla, composer; Theodore Presser Co., registered copyright owner).  
 —: Dance Capride Op. 191, No. 2 (Drdla, composer; Theodore Presser Co., registered copyright owner).  
 —: Tarantella, Op. 191, No. 4 (Drdla, composer; Theodore Presser Co., registered copyright owner).  
 —: Reverie D'Amour Op. 192, No. 1 (Drdla, composer; Theodore Presser Co., registered copyright owner).

It hereby is certified that the foregoing list is a true summary of the contents of the exhibit attached to and forming a part of Vesting Order No. 2099, filed with the Division of the Federal Register at 11:17 a. m., December 4, 1943.

[SEAL] JOHN WATSON,  
 Assistant Secretary for Records.

[F. R. Doc. 44-17415; Filed, Nov. 14, 1944;  
 11:32 a. m.]

[Vesting Order 2543, Summary of Exhibit]

**COPYRIGHT INTERESTS HELD BY CERTAIN NATIONALS OF GERMANY, AUSTRIA, AND ITALY**

Vesting Order No. 2543 (9 F.R. 1466) executed by the Alien Property Custodian November 9, 1943, was filed with the Copyright Office on or about November 18, 1943 and with the Division of the Federal Register at 11:12 a. m., Feb. 3, 1944. The Vesting Order vests in the Alien Property Custodian certain copyrights, copyright applications and rights relating thereto or interests therein of the nationals, or in or relating to the works, named in the list attached hereto, all as more particularly set forth in the said Vesting Order which is available for public inspection at the Copyright Office, Library of Congress, at the Division of the Federal Register, and at the Office of the Secretary, Office of Alien Property Custodian. The foreign nationals whose interests are vested and the names of the works involved (together with the author of the work or other appropriate identification in certain cases), are listed below by country:

**GERMANY**

Russischer Musikverlag, G. m. b. H.: Tab-leaux D'Une Exposition (M. Moussorgsky, composer; Maurice Ravel, arranger; Russischer Musikverlag, G. m. b. H., registered copyright owner).  
 Schlesingersche Buch & Musik-Handlung: Pieces by Old Masters V. 1-5 (Willy Burmester, composer; G. Schirmer, Inc., registered copyright owner).  
 Messrs. B. Schott O Soehne: A Grene Morning (Charles Willeby, composer).  
 —: Scherzino (Moritz Moszkowski, composer).  
 —: Tarentelle (Moszkowski, composer).  
 —: Pantomime (Moszkowski, composer; G. Schirmer, Inc., registered copyright owner).  
 —: Barcarolle (William Faulkes, composer; G. Schirmer, Inc., registered copyright owner).

—: The Master-singers (Richard Wagner, composer; Karl Klindworth, arranger; Frederick Jameson, translator; G. Schirmer, Inc., registered copyright owner).  
 —: Country Gardens (Percy A. Grainger, composer; Percy Grainger, registered copyright owner).  
 —: Melodie (Moszkowski, composer).  
 —: Minuet (Moszkowski, composer).  
 —: Tristesse (Moszkowski, composer; G. Schirmer, Inc., registered copyright owner).  
 —: Pizzicato-Valse (Eduard Schutt, composer; G. Schirmer, Inc., registered copyright owner).  
 —: Astra: On Draught (Tedy Demey, composer; Southern Music Pub. Co., Inc., registered copyright owner).

Metropol: First Calory (Horace Gerlach and Demey, composers; Southern Music Pub. Co., Inc., registered copyright owner).

—: Bartender Polka (Gerlach and Demey, composers; Southern Music Pub. Co., Inc., registered copyright owner).  
 Alfred H. Quaritch: Puppchen (Jean Gilbert, composer; Joh. Doeber and Tom Clark, arrangers; G. Schirmer, Inc., registered copyright owner).

Ed. Bote & Bock: Fairy Tales (Erich J. Wolff, composer; Harold Flammer, translator; Bote & Bock, registered copyright owner).

—: Most Faithful of my friends (Wolff, composer; Flammer, translator; Bote & Bock, registered copyright owner).

—: A Mellow Song from Higher Spheres (Wolff, composer; Theodore Baker, translator; Bote & Bock, registered copyright owner).

Felix Bloch-Erben: The Merry Widow (Edward Morton, Adrian Ross, and H. M. Higgs, authors).

**AUSTRIA**

George Marton Verlag: You Never Know (George Marton and Ziegfried Geyer, authors; Robert Karcher, composer).

**ITALY**

Melodi: Swing Me Around (Demey, composer; Vincent Page, arranger; Southern Music Pub. Co., Inc., registered copyright owner).

It hereby is certified that the foregoing list is a true summary of the contents of the exhibit attached to and forming a part of Vesting Order No. 2543, filed with the Division of the Federal Register at 11:12 a. m., February 3, 1944.

[SEAL] JOHN WATSON,  
 Assistant Secretary for Records.

[F. R. Doc. 44-17416; Filed, Nov. 14, 1944;  
 11:32 a. m.]

[Vesting Order 2735, Summary of Exhibit]

**COPYRIGHT INTERESTS HELD BY MESSAGGERIE MUSICALI S. A.**

Vesting Order No. 2735 (9 F.R. 1624) executed by the Alien Property Custodian December 3, 1943, was filed with the Copyright Office on December 8, 1943 and with the Division of the Federal Register at 11:04, February 10, 1944. The Vesting Order vests in the Alien Property Custodian certain copyrights, copyright applications and rights relating thereto or interests therein of the national, or in or relating to the works, named in the list attached hereto, all as more particularly set forth in the said Vesting Order which is available for public inspection at the Copyright Office, Library of Congress, at the Division of the Federal Register, and at the Office of the Secretary, Office of Alien Property Custodian.

The Italian national whose interests are vested and the names of the works involved (together with the author of the work or other appropriate identification in certain cases), are listed below:

Messaggerie Musicali S. A.: A Cavallo.  
 —: Acqualioli Campagnola.  
 —: Albania.  
 —: Amore, Amore.  
 —: Anna.  
 —: Anna Maria.  
 —: Bel Soldatin.  
 —: Buona Notte, A.nore.  
 —: Canta Povero Cuore.  
 —: Carovane Del Tigril.  
 —: Canzone Dei Sorci Verdi.  
 —: Chi Lo Sa Signorina.  
 —: Chitara Sona.  
 —: Colomba Nera.  
 —: Contess Mia.  
 —: Donna Maria.  
 —: El Martinero.  
 —: En Mis Brazos.  
 —: Era Lei, Si Si.  
 —: Facci Una Fischiatina.  
 —: Fanciulla Bruna.  
 —: Fiorentina.  
 —: Florin Fiorella.  
 —: Fontanella.  
 —: Fontanella D'Acqua Chiara.  
 —: Giacinta.  
 —: Gitana.  
 —: Guitarrera.  
 —: Ho Lasciato Il Mio Cuore A Broadway.  
 —: Io Cerco Un Fiore.  
 —: La Canzone Dei Baci.  
 —: La Romanina.  
 —: L'Ultimo Rondinella.  
 —: Madonna Primavera.  
 —: Madonnina Bionda.  
 —: Mamma Non Vuole.  
 —: Mariannina.  
 —: Mazurka Del Tic Tac.  
 —: Ninnz Nanna Azzurra.  
 —: Noemi.  
 —: Non Maria.  
 —: Non Mi Sfuggirai.  
 —: Non So Come Faro.  
 —: Non Specchiarti.  
 —: Nostalgia Napoletano.  
 —: Notte A Sorrento.  
 —: Notte Napoletanna.  
 —: Notte Senza Luna.  
 —: Novole.  
 —: Passa La Serenta.  
 —: Per Un Bacio D'Amor.  
 —: Primo Amore.  
 —: Qualche F'ilo Bianco.  
 —: Quando Cadra La Prima Stella.  
 —: Quando Spunta La Luna.  
 —: Quel Bacio Che M'Hal Dato.  
 —: Recitare.  
 —: Ricciolina.  
 —: Sbarazzina.  
 —: Se Tu Mi Lascl.  
 —: Sei Tu Margherita.  
 —: Sempre A Te.  
 —: Senza Di Te.  
 —: Signorina Della.  
 —: Signorinella Mia.  
 —: Soltanto Un Saluto.  
 —: Sorridimi Ancora.  
 —: Sotto Il Mandollo Florito.  
 —: Spagnolita.  
 —: Tango Del Pentimento.  
 —: Tango Di Primavera.  
 —: Tchi-Tchi.  
 —: 10 M'Ami 10 T'Amo.  
 —: Ti Perdero.  
 —: To Tragondi Son Kithara.  
 —: Tu Sei La Vita Mia.  
 —: Ultime Pogle.  
 —: Un Bichier D'Acqua E Un Bacio.  
 —: Un Giorno Ti Diro.  
 —: Valzer Della Domenica.  
 —: Valzer Dell' Orologio.  
 —: Viole.  
 —: Vorrei.

It hereby is certified that the foregoing list is a true summary of the contents of the exhibit attached to and forming a part of Vesting Order No. 2735, filed with the Division of the Federal Register at 11:04, February 10, 1944.

JOHN WATSON,  
Assistant Secretary for Records.

[F. R. Doc. 44-17417; Filed, Nov. 14, 1944;  
11:33 a. m.]

[Vesting Order 2742, Summary of Exhibit]  
COPYRIGHT INTERESTS OF ALBERTO CASELLA

Vesting Order No. 2742 (9 F.R. 1624) executed by the Alien Property Custodian December 3, 1943, was filed with the Copyright Office on or about December 8, 1943 and with the Division of the Federal Register at 11:04 a. m., February 10, 1944. The Vesting Order vests in the Alien Property Custodian certain copyrights, copyright applications and rights relating thereto or interests therein of the national, or in or relating to the works, named in the list attached hereto, all as more particularly set forth in the said Vesting Order which is available for public inspection at the Copyright Office, Library of Congress, at the Division of the Federal Register, and at the Office of the Secretary, Office of Alien Property Custodian. The Italian national whose interests are vested and the names of the works involved (together with the author of the work or other appropriate identification in certain cases), are listed below:

Alberto Casella: La Morte in Vacanze (Alberto Casella, author).

It hereby is certified that the foregoing list is a true summary of the contents of the exhibit attached to and forming a part of Vesting Order No. 2742, filed with the Division of the Federal Register at 11:04 a. m., February 10, 1944.

JOHN WATSON,  
Assistant Secretary for Records.

[F. R. Doc. 44-17418; Filed, Nov. 14, 1944;  
11:33 a. m.]

[Vesting Order No. 3360, Summary of Exhibit]

COPYRIGHT INTERESTS HELD BY ZOLTAN KODALY

Vesting Order No. 3360 (9 F.R. 4485) executed by the Alien Property Custodian March 21, 1944, was filed with the Copyright Office on March 28, 1944 and with the Division of the Federal Register on 11:14 a. m., April 25, 1944. The Vesting Order vests in the Alien Property Custodian certain copyrights, copyright applications and rights relating thereto or interests therein of the Hungarian national, or in or relating to the works, named in the list attached hereto, all as more particularly set forth in the said Vesting Order which is available for public inspection at the Copyright Office, Library of Congress, at the Division of the Federal Register, and at the Office of the Secretary, Office of Alien Property Custodian. The Hungarian na-

tional whose interests are vested and the names of the works involved (together with the author of the work or other appropriate identification in certain cases), are listed below:

Zoltan Kodaly; It's Raining (Kodaly, composer).

—; Hymn to King Stephen (Kodaly, composer; Nancy Bush, lyrics, Hawkes & Son Ltd., registered copyright owner).

—; The Aged (Kodaly, composer; Elisabeth M. Lockwood, lyrics; Associated Music Publishers, Inc., registered copyright owner).

—; Die Alten (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Ode To Franz Liszt (Kodaly, composer; Elisabeth M. Lockwood, lyrics; Associated Music Publishers, Inc., registered copyright owner).

—; An Franz Liszt (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Die Spinnstube (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Transylvanian Lament (Kodaly, composer; Lockwood, lyrics; Associated Music Publishers, Inc., registered copyright owner).

—; Szekler Klage (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Intermezzo (Kodaly, composer; Andor Foldes, adaptor; Associated Music Publishers, Inc., registered copyright owner).

—; Song (Kodaly, composer; Foldes, adaptor; Associated Music Publishers, Inc., registered copyright owner).

—; Viennese Clock (Kodaly, composer; Foldes, adaptor; Associated Music Publishers, Inc., registered copyright owner).

—; Magyar Neptzene, Vol. IV, V, VI, VII (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Die Ruine (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; The Ruins (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Schon Anna (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Sept Pieces Pour Piano, Op. 11 (Kodaly, composer, Associated Music Publishers, Inc., registered copyright owner).

—; Psalmus Hungaricus (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Zwei Gesange, Op. 5 (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Ot Dal (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Pange Lingua (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Praeludium (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Bach, Drei Choralvorspiele (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Galantai Tancok (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Das Haschen (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; The Leveret (Kodaly, composer; Lockwood, lyrics; Associated Music Publishers, Inc., registered copyright owner).

—; Hary Janos (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Intermezzo (Kodaly, composer; Emil Bauer, adaptor; Associated Music Publishers, Inc., registered copyright owner).

—; Marosszeki Tancok (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Nyari Este (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Zieme Quatuor a Cordas (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Jesus and the Traders (Kodaly, composer; Edward Dent, lyrics; Associated Music Publishers, Inc., registered copyright owner).

—; Magyar Neptzene, Vol. I, II, and III (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Te Deum (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Theatre Ouverture (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Var Meg Madaram (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Magyar Neptzene, Vol. VII, IX, and X (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Meditation (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Too Late (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Zu Spat (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Woe is Me (Kodaly, composer; M. D. Calvocoressi, lyrics; Associated Music Publishers, Inc., registered copyright owner).

—; Serenade, Op. 12 (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Siralmas Nekem (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Sonate, Op. 4 (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Sonate Op. 8 (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Die Engel und Die Hirten (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

—; The Angels and the Shepherds (Kodaly, composer; Lockwood, lyrics; Associated Music Publishers, Inc., registered copyright owner).

—; Annie Miller (Kodaly, composer; Lockwood, lyrics; Associated Music Publishers, Inc., registered copyright owner).

—; Ave Maria (Kodaly, composer; Associated Music Publishers, Inc., registered copyright owner).

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It hereby is certified that the foregoing list is a true summary of the contents of the exhibit attached to and forming a part of Vesting Order No. 3360, filed with the Division of the Federal Register at 11:14 a. m., April 25, 1944.

[SEAL] JOHN WATSON,  
Assistant Secretary for Records.

[F. R. Doc. 44-17419; Filed, Nov. 14, 1944;  
11:33 a. m.]

[Vesting Order 3430, Summary of Exhibit]  
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Paul Hazard: Etudes Critiques Sur Manon Lescaut (Hazard, author; The University of Chicago, registered copyright owner).

Andre Birabeau: Dame Nature (Birabeau, and Patricia Collinge, authors; The Theatre Guild, Inc., registered copyright owner).

Librairie Gallimard: The Thibaults (Stuart Gilbert, translator; The Viking Press Inc., registered copyright owner).

—: Summer 1914 (Gilbert, translator; The Viking Press Inc., registered copyright owner).

Roger Martin Du Gard: The Thibaults (Gilbert, translator; The Viking Press Inc., registered copyright owner).

—: Summer 1914 (Gilbert, translator; The Viking Press, Inc., registered copyright owner).

Francoise Selgnobose: Gay A B C (Charles Scribner's Sons, registered copyright owner).

—: Story of Collette (Charles Scribner's Sons, registered copyright owner).

La Librairie Hachette: L'Avare (Hachette, author).

—: Le Bourgeois Gentilhomme (Hachette, author).

—: Le Genere de M. Poirier (Hachette, author).

—: Les Oberle (Hachette, author).

M. Gaston Gallimard: Vol De Nuit, Préface d'Andre Gide (Antoine de Saint Exupéry, author; E. M. Bowman, editor; Harper & Brothers, registered copyright owner).

—: Knock (Albert D. Menut and Dwight I. Chapman, editors; D. Appleton-Century Co., registered copyright owner).



Librairie Gallimard: Man's Fate (Haakon Chevallier, translator; Harrison Smith & Robert Haas, Inc., registered copyright owner).

—: Man's Hope (Stuart Gilbert and Alastair MacDonald, translators; Random House, Inc., registered copyright owner).

—: Days of Wrath (Chevallier, translator; Random House, Inc., registered copyright owner).

—: L'Annonce Faite a Marie (Paul Claudel, author; F. S. Crofts & Co., registered copyright owner).

—: Cromedeire-Le-Vieil (Jules Romains, author; F. S. Crofts & Co., registered copyright owner).

—: Les Grands Savants Français (pages 226-230) (Louis Furman Sas., editor; F. S. Crofts & Co., registered copyright owner).

Gaston Gallimard: La Bandera (Charles Spaak, producer).

Jean Glono: Song of the World (Henri Fluchere, translator; The Viking Press, Inc., registered copyright owner).

—: Harvest (Fluchere, translator; The Viking Press, Inc., registered copyright owner).

—: Joy of Men's Desiring (Katherine A. Clarke, translator; The Viking Press, Inc., registered copyright owner).

Georges Simenon (French or Belgium) Maigret Keeps a Rendezvous (Simenon, author; Margaret Ludwig, translator; Harcourt, Brace and Company, Inc., registered copyright owner).

—: Maigret Sits it Out (Simenon, author; Ludwig, translator; Harcourt, Brace and Company, Inc., registered copyright owner).

—: Maigret and M. Labbe (Simenon, author; Stuart Gilbert, translator; Harcourt, Brace and Company, Inc., registered copyright owner).

—: Tropic Moon (Simenon, author; Gilbert, translator; Harcourt, Brace and Company, Inc., registered copyright owner).

—: The Patience of Maigret (Simenon, author; Geoffrey Sainsbury, translator; Harcourt, Brace and Company, Inc., registered copyright owner).

—: Maigret Travels South (Simenon, author; Sainsbury, translator; Harcourt, Brace and Company, Inc., registered copyright owner).

—: Maigret Abroad (Simenon, author; Sainsbury, translator; Harcourt, Brace and Company, Inc., registered copyright owner).

—: Maigret to the Rescue (Simenon, author; Sainsbury, translator; Harcourt, Brace and Company, Inc., registered copyright owner).

Prof. Raoul Blanchard: Geography of Europe (Blanchard and Raymond Crist, author; Henry Holt and Company, registered copyright owner).

Jeanne Badaire: Precis de la Litterature Française (Badaire, author; D. C. Heath and Company, registered copyright owner).

Mlle. Marguerite Clement: Je Lis et Je Parle (Clement, author; D. C. Heath and Company, registered copyright owner).

—: Voici la France (Clement, author; D. C. Heath and Company, registered copyright owner).

—: Histoire de France Cours Elémentaire (Ernest Lavisse and Clement, authors; D. C. Heath and Company, registered copyright owner).

M. Henri Pochard: Le Roi des Montagnes (Pochard and Leif Christopher Dahl, authors; D. C. Heath and Company, registered copyright owner).

Dr. Louis-Ferdinand Destouches: Death on the Installment Plan (John H. P. Marks, translator; Little, Brown & Co., registered copyright owner).

—: Journey to the End of Night (Marks, translator; Little, Brown & Co., registered copyright owner).

Mrs. Rachael Bourdin: Erckmann-Chatrean's Waterloo (Henri L. Bourdin, author;

D. C. Heath and Company, registered copyright owner).

—: French Reader for Beginners (Bourdin, and E. O. Wooley, authors; D. C. Heath and Company, registered copyright owner).

Mrs. Marthe Guignebert: A Short History of the French People (Charles Guignebert and F. G. Richmond, authors; The Macmillan Co., registered copyright owner).

M. Gaston Gallimard: The Counterfeiters (Dorothy Bussy, translator; Alfred A. Knopf, Inc., registered copyright owner).

Bernard Fay: George Washington, Republican Aristocrat (Fay, author; Bernard Fay, registered copyright owner).

Claud Aveline: Voiture 7, Place 15 (Aveline, author; Thomas J. Wilson and Archibald K. Shields, editors; Henry Holt and Company, registered copyright owner).

—: The Double Death of Frederick Belot (Aveline, author; Shields, editor; Henry Holt and Company, registered copyright owner).

Messrs. Felix Alcan: Two Sources of Morality & Religion (Bergson, author; R. A. Andra and Cloudesley Brereton, translators; Henry Holt and Company, registered copyright owner).

M. Louis Lanquest: Christ the Son of God; 1 and 2 vol. edition (George F. X. Griffith, translator).

—: Last Years of St. Paul.

—: St. Peter and the First Years of Christianity.

Mme. Antonina Vallentin-Luchaire: Leonardo Da Vinci (E. W. Dickes, translator; The Viking Press Inc., registered copyright owner).

—: Poet in Exile (Harrison Brown, translator; The Viking Press Inc., registered copyright owner).

Estate of Henry Bergson: Two Sources of Morality & Religion (Bergson, author; Andra and Brereton, translators; Henry Holt and Company, registered copyright owner).

Marcel Pagnol: Merlusse with vocab. (Pagnol, author; L. G. Moffatt, editor; Henry Holt and Company, registered copyright owner).

Henri Fluchere: The Song of the World (Fluchere, author; The Viking Press Inc., registered copyright owner).

—: Harvest (Fluchere, translator; The Viking Press Inc., registered copyright owner).

Charles Trenet: Quand J'Etals P'Tit (Trenet, author).

—: Laroute Enchantee (Trenet, author).

—: Sainte Catherine (Trenet, author).

—: Serenade Portugaise (Trenet, author).

—: Mentimontant (Trenet, author).

—: Mam'Zelle Clio (Trenet, author).

—: Les Oiseaux de Paris (Trenet, author).

—: Papa Pique et Maman Coud . . . (Trenet, author).

—: Fleur Eleue (Trenet, author).

—: Le Grand Cafe (Trenet, author).

—: Hop Hop (Trenet, author).

—: Il Pleut Dans Ma Chambre . . . (Trenet, author).

—: J'Al Connue de Vous (Trenet, author).

—: J'Al Ta Main (Trenet, author).

—: Jardin du Mois de Mai . . . (Trenet, author).

—: Je Chante (Trenet, author).

—: Y A D'La Jolie (Trenet, author).

—: Le Soleil et la Lune (Trenet, author).

—: Terre (Trenet, author).

—: Un Rien Me Fait Chanter . . . (Trenet, author).

—: La Vie Qui Va (Trenet, author).

—: Pic Pic Pic (Trenet, author).

—: Pigeon Vole (Trenet, author).

—: Polka Du Roi (Trenet, author).

—: Pres De Toi Mon Amour . . . (Trenet, author).

—: Bateau D'Amour (Trenet, author).

—: Bruits de Paris (Les) (Trenet, author).

—: Les Enfants S'Ennuient Le Dimanche (Trenet, author).

—: En Quittant Une Ville . . . (Trenet, author).

—: Ah Dis Ah Dis Ah Bonjour (Trenet, author).

—: Annie Anna (Trenet, author).

—: Biguine A. Bango (Trenet, author).

—: Boum (Trenet, author).

—: Verlaine (Trenet, author).

—: La Veille (Trenet, author).

—: Vous Etes Jolie (Trenet, author).

—: Vous Oubliez Votre Cheval (Trenet, author).

—: Sérénade (Serenade Portugaise) (Trenet, author).

Editions Charles Brull: I Kiss Your Hand Madame (Fritz Rotter, Ralph Erwin, Lewis & Young and Albert Sirmey, composers; Harms, Inc., registered copyright owner).

—: Jealousy (Jacob Gade and Vera Bloom, composers; Harms, Inc., registered copyright owner).

Joannes Rochut: Melodious Etudes for Trombone Book I, II, and III (Rochut, composer; Carl Fischer, Inc., registered copyright owner).

Vve Andre Mermet: La Guapa (Jules Buisson, composer; Edward B. Marks Music Corporation, registered copyright owner).

Societe Generale Internationale: It's Delightful to be Married (Marks, H. Christine, Vincent Scotto, composers; Edward B. Marks Music Corporation, registered copyright owner).

Julio Garzon: Vione La Conga (Here Comes the Conga) Marion Sunshine and Eliseo Grenet, composers; Edward B. Marks Music Corporation, registered copyright owner).

—: A Gozar (Let's Be Gay) Olga Paul and Moises Simons, composers; Edward B. Marks Music Corporation, registered copyright owner).

Mme. Andre Caplot: Technic of the Baton (Albert Stoessel, author; Carl Fischer, Inc., registered copyright owner).

Vincent Scotto: Vieni, Vieni (Scotto, George Koger and H. Varna, composers; M. Witmark & Sons, registered copyright owner).

Alphonse Leduc & Co.: Perses.

Juran Valverde: Che, Mi Amigo (Valverde and Herpin, composers; Edward B. Marks Music Corporation, registered copyright owner).

—: La Polichinette (Valverde, composer; Edward B. Marks Music Corporation, registered copyright owner).

—: Sarasa (Valverde, composer; Edward B. Marks Music Corporation, registered copyright owner).

Mlle. Cecile Chaminade: Romanza Appassionata (Chaminade, composer; Theodore Presser Co., registered copyright owner).

René Fauchois: Prenez Garde a la Peinture (Fauchois, author; Clifford Parker, arranger; Henry Holt and Company, registered copyright owner).

S. A. Lianofilm Production: Thunder in the East (Scenario by Nicholas Farkas and Bernard Zimmer; United Artists Corp., registered copyright owner).

Estate of Vincent D'Indy: Sur Le Mer (D'Indy, composer).

—: Mary Magdalene (D'Indy, composer).

Prof. Louis Cazamian: Development of English Humor (Cazamian, author; The Macmillan Co., registered copyright owner).

Estate of Maurice Leblanc: Arsène Lupin, Gentleman-Cambrioleur (Alexander H. Olmsted, author; Ginn and Company, registered copyright owner).

Romain Rolland: Goethe & Beethoven (Rolland, author).

Monsieur G. Paifchadza: Tableaux D'Une Exposition (Pictures at an Exhibition) (Rusischer Musikverlag G. m. b. H. Berlin, registered copyright owner).

Paul Beuscher: Try Again (T. Demey, composer; Southern Music Publishing Co., Inc., registered copyright owner).

Chansonette: Biarritz (A. De Prince, composer; Southern Music Pub. Co., Inc., registered copyright owner).

Andre Gide: Strait is the Gate (Doroty Bussy, translator; Alfred A. Knopf, Inc., registered copyright owner).

Gaston Gallimard: Lafcadio's Adventures (Bussy, translator; Alfred A. Knopf, Inc., registered copyright owner).

It hereby is certified that the foregoing list is a true summary of the contents of the exhibit attached to and forming a part of Vesting Order No. 3430, filed with the Division of the Federal Register at 11:16 a. m., June 9, 1944.

[SEAL] JOHN WATSON,  
Assistant Secretary for Records.

[F. R. Doc. 44-17420; Filed, Nov. 14, 1944;  
11:33 a. m.]

[Vesting Order 3504, Summary of Exhibit]

#### COPYRIGHT INTERESTS HELD BY CERTAIN NATIONALS OF GERMANY AND AUSTRIA

Vesting Order No. 3504 (9 F.R. 6271) executed by the Alien Property Custodian April 24, 1944, was filed with the Copyright Office on April 28, 1944 and with the Division of the Federal Register at 10:42 a. m., June 7, 1944. The Vesting Order vests in the Alien Property Custodian certain copyrights, copyright applications and rights relating thereto or interests therein of the persons, or in or relating to the works, named in the list attached hereto, all as more particularly set forth in the said Vesting Order which is available for public inspection at the Copyright Office, Library of Congress, at the Division of the Federal Register, and at the Office of the Secretary, Office of Alien Property Custodian. The foreign nationals whose interests are vested and the names of the works involved (together with the author of the work or other appropriate identification in certain cases), are listed below by country:

##### GERMANY

Dreima-Buehnenvertrieb: Madam Pompadour (Frederick Lonsdale and Harry Graham, adaptors).

Felix Bloch Erben: A Waltz Dream (Joseph W. Herbert, adaptor; Felix Bloch Erben, registered copyright owner).

Th. Knaur Nach: "Facts": The New Concise Pictorial Encyclopedia (Doubleday, Doran and Company, Inc., editors, translators, and research workers; Doubleday, Doran and Company, Inc., registered copyright owner).

Richard Strauss: Der Rosenkavalier (Richard Strauss, composer; Boosey & Hawkes, Ltd., registered copyright owner).

Richard Strauss: Salome (Richard Strauss, composer; Boosey & Hawkes Ltd., registered copyright owner).

##### AUSTRIA

Eibenschuetz & Berte: "Fanciulla . . .", Waltz Aris from the opera, "La Rondine" (Giacomo Puccini, composer; Casa Musicale Sonzogno, registered copyright owner).

Estate of Johann Strauss: "Rosalinda" (Henri Heilhac and Ludovic Halevy, authors; C. Haffner and Richard Genée, translators; Carl Roessler and Marcellus Schiffer, adaptors; Cranz, registered copyright owner).

It hereby is certified that the foregoing list is a true summary of the contents of

the exhibit attached to and forming a part of Vesting Order No. 3504, filed with the Division of the Federal Register at 10:42 a. m., June 7, 1944.

[SEAL] JOHN WATSON,  
Assistant Secretary for Records.

[F. R. Doc. 44-17421; Filed, Nov. 14, 1944;  
11:33 a. m.]

[Vesting Order 3552, Summary of Exhibit]

#### COPYRIGHT INTERESTS HELD BY CERTAIN FRENCH NATIONALS

Vesting Order No. 3552 (9 F.R. 6464), executed by the Alien Property Custodian May 3, 1944, was filed with the Copyright Office on May 9, 1944 and with the Division of the Federal Register at 11:16 a. m., June 9, 1944. The Vesting Order vests in the Alien Property Custodian certain copyrights, copyright applications and rights relating thereto or interests therein of French nationals, or in or relating to the works, named in the list attached hereto, all as more particularly set forth in the said Vesting Order which is available for public inspection at the Copyright Office, Library of Congress, at the Division of the Federal Register, and at the Office of the Secretary, Office of Alien Property Custodian. The French nationals whose interests are vested and the names of the works involved (together with the author of the work or other appropriate identification in certain cases), are listed below:

Librairie Gallimard: Night Flight (Antoine de Saint Exupery, author; Stuart Gilbert, translator; D. Appleton-Century Company, Inc., registered copyright owner).

Gaston Gallimard: Within A Budding Grove (Marcel Proust, author; C. K. Scott Moncrieff, translator).

—: Sweet Cheat Gone (Proust, author; Moncrieff, translator).

—: The Past Recaptured (Proust, author; Moncrieff, translator).

—: Remembrance of Things Past (Proust, author; Moncrieff, translator).

—: The Captive (Proust, author; Moncrieff, translator).

—: Cities of the Plain (Proust, author; Moncrieff, translator).

—: Swann's Way (Proust, author; Moncrieff, translator).

—: La Mort De Baldassare Slivanie (Proust, author).

—: Confession of a Young Girl (Proust, author; Mrs. Varese, translator).

Miss Denise Clairouin: General Works of Eve Curie.

Pierre Lafitte et Cie: The Phantom of the Opera (Gaston Leroux, author; Bobbs-Merrill Company, registered copyright owner; copyright renewal by the Widow G. J. Leroux).

Denyse Clairouin: Madame Curie (Eve Curie, author; Doubleday, Doran & Co., registered copyright owner).

—: The Price of Freedom (Curie, author; New York Tribune, Inc., registered copyright owner).

Jacques Companeez: Eight Hundred Convicts March On Caraibo (Jacques Companeez, author).

Gaston Gallimard: The Counterfeiters (Andre Gide, author).

—: Return from U. S. S. R. (Andre Gide, author).

Albin Michel: Tides of Mont St. Michel (Roger Verceel, author).

—: Troubled Waters (Verceel, author).

J. Joliet Curie: The Life of Mme. Curie and the Life of Pierre Curie (Madame Marie Curie, author; Mr. & Mrs. Vernon Kellogg, translators).

Estate of Maurice Leblanc: Arsene Lupin Gentlemen Cambrioleur (Maurice Leblanc, author).

—: Des Pas Sur La Neice (Leblanc, author).

—: La Carafe D'Eau (Leblanc, author).

—: Arsene Lupin In Prison (Leblanc, author).

—: The Red Silk Scarf (Leblanc, author).

—: The Lady With The Hatchet (Leblanc, author).

Andre Birabeau: The Little Dark Horse (Theresa Helburn, author).

Claude-Andre Puget: The Happy Days (Zoe Akins Rumbold, author; Zoe Akins Rumbold, registered copyright owner).

Mrs. Louise Gabriel Plerne: The Children's Crusade (Gabriel Plerne, composer; Henry G. Chapman, translator; G. Schirmer, Inc., registered copyright owner).

—: The Children at Bethlehem (Plerne, composer; M. L. Baum, translator; G. Schirmer, Inc., registered copyright owner).

—: St. Francis of Assisi (Plerne, composer; Claude Aveling, translator; G. Schirmer, Inc., registered copyright owner).

Librairie Ernest Flammarion: Des Histoires Droles Pour La Jeunesse (Gino A. Ratti, author; F. S. Crofts & Co., registered copyright owner).

—: Les Grands Savants Francais (Louis Furman Sas, editor; F. S. Crofts & Co., registered copyright owner).

Les Films Derby: The Puritan (Liam O. Flaherty, author).

Serge Sandberg: Pearls of the Crown (Sacha Guitry, author).

Walter Morse Rummel: Ecstasy (Walter Morse Rummel, composer; Duncan C. Scott, author; G. Schirmer, Inc., registered copyright owner).

—: June (Rummel, composer; James Wheedon, author; G. Schirmer, Inc., registered copyright owner).

—: Across the Hills (Rummel, composer; Katherine R. Heymann, author; G. Schirmer, Inc., registered copyright owner).

Richard Barthelemy: Caressing Butterfly (Richard Barthelemy, composer; Firmen Swinnen, arranger; G. Schirmer, Inc., registered copyright owner).

—: Triste Ritorno (Home-Coming) (Barthelemy, composer; G. Schirmer, Inc., registered copyright owner).

—: Visions Blanches (White Visions) (Barthelemy, composer; Charles Bandelaire, author; Alma Strettell, translator; G. Schirmer, Inc., registered copyright owner).

—: Love's Torment: Richard Barthelemy and Enrico Caruso, composers; French version by R. Gael—English version by L. F. Berman; G. Schirmer, Inc., registered copyright owner).

L. Digoride-Diodet: Chanson Bohemienne (J. B. Boldi, composer; G. Schirmer, Inc., registered copyright owner).

—: My Love and the Lark (Boldi, composer; Lorraine Noel Finley, author; Carl Dels, arranger; G. Schirmer, Inc., registered copyright owner).

—: Love's Torment (Richard Barthelemy & Enrico Caruso, composers; French version by R. Gael; G. Schirmer, Inc., registered copyright owner).

Marcel Moszkowski: Moment Musical, Op. 84, No. 4 (Maurice Moszkowski, composer; Theodore Presser Co., registered copyright owner).

—: Grand Valse de Concert, Op. 88 (Moszkowski, composer; Theodore Presser Co., registered copyright owner).

—: Waltz Themes (Moszkowski, composer; Theodore Presser Co., registered copyright owner).

C. Joubert et Cie: The Beatitudes (Cesar Franck, composer; Lady Colomb, author; Catherine M. Bradley, translator).

Pierre Dupont: Intermezzo from "Goyes cas" (Enrique Granados, composer; Pierre Dupont, arranger; Tom Clark, reviser; G. Schirmer, Inc., registered copyright owner).

Paul Decourcelle payable to S. Brenemann: Little Serenade for violin and piano (Henri Tellam, composer; Louis Oesterle, editor).

—: Little Serenade for piano (Tellam, composer; Oesterle, editor; G. Schirmer, Inc., registered copyright owner).

—: Little song for violin and piano (Alfredo D'Ambrosio, composer; Paul Decourcelle, registered copyright owner).

—: Passepied for violin and piano (Ernest Gillet, composer; Oesterle, editor; G. Schirmer, Inc., registered copyright owner).

—: Passepied for piano (Gillet, composer; Oesterle, editor; G. Schirmer, Inc., registered copyright owner).

—: Sommeil D'Enfant (Tellam, composer; Oesterle, editor; G. Schirmer, Inc., registered copyright owner).

—: Conzonetta (D'Ambrosio, composer).

—: Romance for violin and piano (D'Ambrosio, composer; Paul Decourcelle, registered copyright owner).

—: Romance for orchestra (D'Ambrosio and Maurice Baron, composers; G. Schirmer, Inc., registered copyright owner).

—: Novelletta for violin and piano (D'Ambrosio, composer; Paul Decourcelle, registered copyright owner).

Rev. Raoul Plus, S. J.: Meditations for Religious (Sister M. Bertille and Sister M. St. Thomas, authors; Fr. Pustet Co. Inc., registered copyright owner).

—: Dust Remember Thou Art Splendor (Sisters Bertille and St. Thomas, authors; Fr. Pustet Co. Inc., registered copyright owner).

—: Progress in Divine Union (Sisters Bertille and St. Thomas, authors; Fr. Pustet Co. Inc., registered copyright owner).

—: Mary in our Soul Life (Sister M. Bertille and Sister M. St. Thomas, authors; Fr. Pustet Co. Inc., registered copyright owner).

Ivan Bunin: The Village (Isabel F. Hapgood, translator; Alfred A. Knopf, Inc., registered copyright owner).

—: The Gentleman From San Francisco (Bernard Guilbert Guerny, translator).

Mme. Gabriel Tarde: Penal Philosophy (Rapelje Howell, translator; Little, Brown & Co., registered copyright owner).

Heugel et Cie: Song of Brother Jack (Emile Pola-dilhe, composer; J. Combarieu, author; Natalie Curtis, translator; G. Schirmer, Inc., registered copyright owner).

—: Free and Easy (Polka) (Rodolphe Berger, composer; Heugel et Cie, registered copyright owner).

—: Lakme (Leo Delibes, composer).

—: Louise (Gustave Charpentier, composer).

—: Thais (Jules Massenet, composer).

—: Louise and Thais (Gustave Charpentier and Jules Massenet, composers).

—: Herodlade (Jules Massenet, composer; Heugel et Cie, registered copyright owner).

—: Hamlet (Ambroise Thomas, composer).

—: Werther (Jules Massenet, composer).

—: Mignon (Thomas, composer; Michel Carre & Jules Barbier, authors; Theodore Baker, translator; H. E. Krebbiel, author of essay on story of the Opera; G. Schirmer, Inc., registered copyright owner).

—: Le Jongleur de Notre Dame (Jules Massenet, composer; Maurice Lena, text; N. Louise Baum, Eng. Version).

—: The Children's Crusade (Gabriel Pierne, composer; Henry G. Chapman, translator; G. Schirmer, Inc., registered copyright owner).

—: The Children at Bethlehem (Pierne, composer; M. L. Baum, translator; G. Schirmer, Inc., registered copyright owner).

—: The Vision of the Queen (August Holmes, composer and author; Geo. L. Os-

good, translator; G. Schirmer, Inc., registered copyright owner).

—: Don Quixote (Jules Massenet, composer; Heugel et Cie, registered copyright owner).

Count René de Chambrun: I Saw France Fall: Will She Rise Again? (Rene de Chambrun, author; Chambrun, registered copyright owner).

Eugene D'Harcourt: Complete Exercises in Salfeggio (D'Harcourt, composer; G. Schirmer, Inc., registered copyright owner).

It hereby is certified that the foregoing list is a true summary of the contents of the exhibit attached to and forming a part of Vesting Order No. 3552, filed with the Division of the Federal Register at 11:16 a. m., June 9, 1944.

[SEAL] JOHN WATSON,  
Assistant Secretary for Records.

[F. R. Doc. 44-17422; Filed, Nov. 14, 1944;  
11:34 a. m.]

[Vesting Order 3918, Summary of Exhibit]

COPYRIGHT INTERESTS HELD BY CERTAIN  
FRENCH NATIONALS

Vesting Order No. 3918 (9 F.R. 9515) executed by the Alien Property Custodian July 11, 1944, was filed with the Copyright Office on July 19, 1944 and with the Division of the Federal Register at 11:44 a. m., August 3, 1944. The Vesting Order vests in the Alien Property Custodian certain copyrights, copyright applications and rights relating thereto or interests therein of French nationals, or in or relating to the works, named in the list attached hereto, all as more particularly set forth in the said Vesting Order with Exhibit which is available for public inspection at the Copyright Office, Library of Congress, at the Division of the Federal Register, and at the Office of the Secretary, Office of Alien Property Custodian. The French nationals whose interests are vested and the names of the works involved (together with the author of the work or other appropriate identification in certain cases), are listed below:

Editions Salabert: Si. Petite (American lyric by Mitchell Parish, French lyric by Pierre Bayle, Music by Gaston Claret).

—: Hands Across the Table (lyrics by Parish, music by Jean Delettre).

Firmin Roz: Vue Générale de Littérature Française (Firmin Roz, author; Allyn and Bacon, registered copyright owner).

Editions Maurice Senart: Jeunes Filles au Jardin (Joseph Szigeti, composer; Carl Fischer, Inc., registered copyright owner).

Publications Raoul Breton & Cie: Lying in the Hay (Original words by Jean Franc-Nohain, music by Mireille, English version by Henry Roberts and Harry S. Pepper).

Charles Vildrac: La Brouille (Vildrac and George B. Fundenburg, authors; George B. Fundenburg, registered copyright owner).

Francoise Seignobosc: Mr. and Mrs. So and So (Seignobosc, author; Oxford University Press, N. Y., Inc., registered copyright owner).

Mr. Roger Cros: Nineteenth Century French Prose (Joseph S. Galland and Cros, authors; D. Appleton-Century Co., registered copyright owner).

—: Nineteenth Century French Verse (Galland and Cros, authors; D. Appleton-Century Co., registered copyright owner).

Est. of Wm. A. Bradley, Men of Good Will—Vol. X—The New Day (translated into

English by Gerard Hopkins; Alfred A. Knopf, Inc., registered copyright owner).

—: Swann's Way (Reprint Edition) (Marcel Proust, author; C. K. Scott Moncrieff, translator).

—: The Counterfeiters (Andre Gide, author).

—: Return From U. S. S. R. (Gide, author).

—: Economic and Social Conditions in France (Edwin H. Zeydel, translator; F. S. Crofts & Co., registered copyright owner).

—: Vol de Nuit (Night Flight) (Antoine de Saint-Exupery, author; D. Appleton-Century Co., registered copyright owner).

—: Aried ou La Vie de Shelley (Ariel—The Life of Shelley) (Andre Murois, author; D. Appleton-Century Co., registered copyright owner).

—: Franz Liszt (Guy de Pourtales, author; Brooks, editor; Henry Holt and Company, registered copyright owner).

It hereby is certified that the foregoing list is a true summary of the contents of the exhibit attached to and forming a part of Vesting Order No. 3918, filed with the Division of the Federal Register at 11:44 a. m., August 3, 1944.

[SEAL] JOHN WATSON,  
Assistant Secretary for Records.

[F. R. Doc. 44-17423; Filed, Nov. 14, 1944;  
11:34 a. m.]

[Vesting Order 1758]

COPYRIGHT INTERESTS HELD BY CERTAIN  
NATIONALS OF AUSTRIA, ITALY, GERMANY,  
JAPAN AND HUNGARY

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each person whose name, nationality, and last known address where established, is listed at the top of each page of Exhibit A attached hereto and by reference made a part hereof, if an individual is a resident or citizen of, or if a business organization is organized under the laws of, and therefore holds the nationality designated after the name of such person;

2. Finding that the persons listed in said Exhibit A, jointly or severally own or control the property hereinafter described in subparagraph 3;

3. Determining that the property described as follows:

a. All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each person whose name, nationality, and last known address, where established, is designated at the top of each page of said Exhibit A in, to and under the following:

i. Every copyright, claim of copyright and right to copyright, or rights related thereto, in each and all of the works described in each page of said Exhibit A under the name of such person;

ii. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

iii. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

iv. All rights of reversion or reversion, if any, in any or all of the foregoing;

v. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 30, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

#### SUMMARY OF EXHIBIT

Vesting Order No. 1758, executed by the Alien Property Custodian June 30, 1943, was filed with the Copyright Office on July 1, 1943 and with the Division of the Federal Register. The Vesting Order vests in the Alien Property Custodian certain copyrights, copyright applications and rights relating thereto or interests therein of the nationals, or in or relating to the works, named in the list attached hereto, all as more particularly set forth in the said Vesting Order which is available for public inspection at the Copyright Office, Library of Congress, at the Division of the Federal Register, and at the Office of the Secretary, Office of Alien Property Custodian. The foreign nationals whose interests are vested and the names of the works involved (together with the author of the work or other appropriate identification in certain cases), are listed below by country:

#### AUSTRIA

August Aichhorn: Wayward Youth (Helen Ross, translator; The Viking Press Inc., registered copyright owner).

Emil Berte: Blossom Time (Karczag Publishing Co. Inc., registered copyright owner).  
Egon Count Corti: Elizabeth Empress of Austria (Egon Count Corti, author; Catherine Alison Phillips, translator; Yale University Press, registered copyright owner).

Ludwig Doblinger: Blossom Time.  
—: A Little Café Down the Street (Olga Paul and Hermann Leopoldi, composers; Edward B. Marks Music Corporation, registered copyright owner).

—: On the Old Excursion Boat (Kermit Goell and Leopoldi, composers; Edward B. Marks Music Corporation, registered copyright owner).

—: Baby, Save Your Tears (L. Wolfe Gilbert, Fritz Rotter and Robert Stolz, composers; Edward B. Marks Music Corporation, registered copyright owner).

—: The Chocolate Soldier (Stanislaus Stange, adaptor; M. Witmark & Sons, registered copyright owner).

—: The Chocolate Soldier (Stange and Oscar Straus, composers).

Franz Drdla: Love Song (Drdla, composer; Theodore Presser Co., registered copyright owner).

—: Cavatina in C, Op. 101, No. 1 (Drdla and O. A. Mansfield, composers; Theodore Presser Co., registered copyright owner).

—: Love Songs, Op. 201, No. 1 (Drdla and Mansfield, composers; Theodore Presser Co., registered copyright owner).

—: Twilight Meditation, Op. 192, No. 4 (Drdla, composer; Theodore Presser Co., registered copyright owner).

—: Pastorella, Op. 192, No. 2 (Drdla, composer; Theodore Presser Co., registered copyright owner).

—: Dragon Flies (Drdla, composer; Theodore Presser Co., registered copyright owner).

—: Court Minuet (Drdla, composer; Theodore Presser Co., registered copyright owner).

Franz Drdla: Bolero (Drdla, composer; Theodore Presser Co., registered copyright owner).

—: Cavatina, Op. 191, No. 1 (Drdla, composer; Theodore Presser Co., registered copyright owner).

—: Dance Caprice, Op. 191, No. 2 (Drdla, composer; Theodore Presser Co., registered copyright owner).

—: Tarantella, Op. 191, No. 4 (Drdla, composer; Theodore Presser Co., registered copyright owner).

—: Reverie D'Amour, Op. 192, No. 1 (Drdla, composer; Theodore Presser Co., registered copyright owner).

Hermann Fischer Verlag: Unordnung und Frühes Leid (Thomas Mann, author; Prentice-Hall, Inc., registered copyright owner).

Estate of Hans Grose: Criminal Psychology (Horace M. Kallen, translator; Little, Brown & Co., registered copyright owner).

A. Stefan Gruenberg: Violin Teaching and Violin Study (Eugene Gruenberg, author; Carl Fischer, Inc., registered copyright owner).

Estate of Eugene Gruenberg: Scales and Chords (Gruenberg, author; Oliver Ditson Co., registered copyright owner).

—: Ten Violin Pieces (Gruenberg, author; Oliver Ditson Co., registered copyright owner).

—: Violin Students' Vocabulary (Gruenberg, author; Oliver Ditson Co., registered copyright owner).

—: Foundation Exercises for Violin (Gruenberg, author; Oliver Ditson Co., registered copyright owner).

—: Melodic Violin Pieces 3 Volumes (Gruenberg, author; Oliver Ditson Co., registered copyright owner).

—: Perpetual Motion (Gruenberg, author; Oliver Ditson Co., registered copyright owner).

—: Progressive Violin Studies 3 Volumes (Gruenberg, author; Oliver Ditson Co., registered copyright owner).

Dr. Friedrich Hertz: Race and Culture (Dr. Friedrich Hertz, author).

Alfred Holy: An Evening at Home (Holy, composer; Oliver Ditson Co., registered copyright owner).

—: Invocation (Holy, composer; Oliver Ditson Co., registered copyright owner).

—: 24 Easy Studies for the Harp (Holy, composer; Oliver Ditson Co., registered copyright owner).

Dr. Adolf Lorenz: My Life and Work (Charles Scribner's Sons, registered copyright owner).

Dr. Josef Meller: Ophthalmic Surgery (Meller, author; The Blakiston Company, registered copyright owner).

Miss Marie Prentner: The Modern Pianist (Prentner, author; Theodore Presser Co., registered copyright owner).

Mrs. Adele Reinhardt: Two Little Love Bees (Robert B. Smith and Heinrich Reinhardt, composers; Edward B. Marks Music Corporation, registered copyright owner).

—: Day Dreams (Smith and Reinhardt, composers; Edward B. Marks Music Corporation, registered copyright owner).

—: Spring Maid Waltz (Smith and Reinhardt, composers; Edward B. Marks Music Corporation, registered copyright owner).

—: Spring Maid Selection (Smith and Reinhardt, composers; Edward B. Marks Music Corporation, registered copyright owner).

—: Spring Maid Vocal Score (Smith and Reinhardt, composers; Edward B. Marks Music Corporation, registered copyright owner).

—: Loving Cup (Smith and Reinhardt, composers; Edward B. Marks Music Corporation, registered copyright owner).

—: On the Track (Smith and Reinhardt, composers; Edward B. Marks Music Corporation, registered copyright owner).

—: Next May Be the Right (Smith and Reinhardt, composers; Edward B. Marks Music Corporation, registered copyright owner).

—: Fountain Fay Protective Institution (Smith and Reinhardt, composers; Edward B. Marks Music Corporation, registered copyright owner).

—: Spring Maid March (Smith and Reinhardt, composers; Edward B. Marks Music Corporation, registered copyright owner).

—: Fountain Fay (Smith and Reinhardt, composers; Edward B. Marks Music Corporation, registered copyright owner).

G. Sil Vara: Caprice (Vara, author; Philip Moeller, adaptor; Ruth Langner, translator; The Theatre Guild, Inc., registered copyright owner).

Estate of Jacob Wassermann: The World's Illusion (Wassermann, author; Ludwig Lewisoohn, translator; Harcourt, Brace and Company, Inc., registered copyright owner).

Arthur Weidinfeld: The Goebbels Experiment (Arthur Weidinfeld and Derrickington, authors).

Alfred Eugen Willnor: Blossom Time (Karczag Publishing Co. Inc., registered copyright owner).

#### ITALY

Dr. Alberto Albertini: Two Years (Arthur Livingston, author; Alberto Albertini, registered copyright owner).

Signora Grazietta Vedova Archivi: Carl Fischer Method for the Accordion (Archivi, composer; Carl Fischer, Inc., registered copyright owner).

Adolfo Bossi: Gipsy Band-Piano Solo (Bossi, composer; Theodore Presser Co., registered copyright owner).

—: Gipsy Band-Violin & Piano (Bossi, composer; Theodore Presser Co., registered copyright owner).

—: Dance of the Odalisque (Bossi, composer; Theodore Presser Co., registered copyright owner).

—: Gondoliera Venziang (Bossi, composer; Theodore Presser Co., registered copyright owner).

S. A. Carlisch: Tango Della Gelosia (Jealous of You) (Marjorie Harper, Peppino Mendes, Vittorio Masheroni and J. Rosamond John-

son, composers; Edward B. Marks Music Corporation, registered copyright owner).

Vito Carnevali: Come Love With Me (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Missa Rosa Mystica (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Missa Rosa Mystica, voice part (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Tantum Ergo, 4 male voices (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Tantum Ergo, 4 mixed voices (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: O Salutaris, 2 voices (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Ave Maria, High, A<sub>2</sub> (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Ave Maria, Low, F (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Thou Art Loves Own Flower, High (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Thou Art Loves Own Flower, Low (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Missa Rosa Mystica, 3 women voices (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Missa Rosa Mystica, voice part (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Missa Rosa Mystica, 4 mixed score (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Missa Rosa Mystica, voice part (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Missa Rosa Mystica, tenor & bass (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Missa Stella Matutina, 4 mixed voice, score (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Missa Stella Matutina, sop. & alto (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Missa Stella Matutina, tenor & bass (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Spanish Serenade (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Dream On To My Song of Love, high (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Dream On To My Song of Love, low (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: O Sole Mio, high (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Missa Maria Mater Gratiae, 4 mixed score (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Missa Maria, sop. & alto parts (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Missa Maria, tenor & bass (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Venetian Nights, high (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: The Bobolink & the Chickadee, high (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: A Nalad's Dream (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Missa Ave Verum, 3 male voice, score (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Missa Ave Verum, chorus part (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Missa Ave Verum, tenor & bass (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Sero te Amavi, 4 unison voices (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Missa Ave Verum, 4 mixed (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Missa Ave Verum, sop. & alto voice parts (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Missa Ave Verum, tenor & bass (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Missa Auxillum Christianorum, 4 mixed voices score (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Missa Auxillum, sop. & alto parts (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Missa Auxillum, tenor & bass parts (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Missa Stella Matutina, sop. & alto score (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Missa Stella Matutina, voice part (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Come Love With Me, High F (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

—: Come Love With Me, Medium E<sub>2</sub> (Carnevali, composer; J. Fischer & Bros., registered copyright owner).

Mario Corti: Minuetto (Corti, composer; Carl Fischer, Inc., registered copyright owner).

—: Grave (Corti, composer; Carl Fischer, Inc., registered copyright owner).

—: Concerto in A Minor (Corti, composer; Carl Fischer, Inc., registered copyright owner).

—: Minuetto (Corti, composer; Carl Fischer, Inc., registered copyright owner).

—: Canzone (Corti, composer; Carl Fischer, Inc., registered copyright owner).

—: Andantino (Corti, composer; Carl Fischer, Inc., registered copyright owner).

—: Adagio (Corti, composer; Carl Fischer, Inc., registered copyright owner).

Daniele Varé: Laughing Diplomat (Daniele Varé, author; Daniele Varé, registered copyright owner).

Riccardo Drigo: Canzona Barcarolla (Riccardo Drigo, composer).

—: Serenade (Drigo, composer).

Fratelli Treves Editori: Life and Death (Andrea Majocchi, author; Knight Publications, Inc., registered copyright owner).

—: More of My Life (Majocchi, author; Knight Publishers, Inc., registered copyright owner).

Signora G. Lombroso Ferreiro: Crime; Its Causes and Remedies (Henry P. Horton, translator; Little, Brown & Co., registered copyright owner).

Estate of Enrico Ferri: Criminal Sociology (J. E. Kelly and John Lisle, translators; Little, Brown & Co., registered copyright owner).

Stanislao Gallo: The Modern Band (Gallo, author; C. C. Birchard & Co., registered copyright owner).

Ruggiero Leoncavallo: Deliverance! (Deliverance) Hymns of France (Leoncavallo, composer; Edward B. Marks Music Corporation, registered copyright owner).

G. Francesco Malipiero: Il Finto Arlecchino & Orchestral Suite (Malipiero, composer; C. C. Birchard & Co., registered copyright owner).

—: Princess Ulalia (Malipiero, composer; C. C. Birchard & Co., registered copyright owner).

—: La Cena & Orchestral Suite (Malipiero, composer; C. C. Birchard & Co., registered copyright owner).

—: Ten Antique Choruses (Malipiero, composer; C. C. Birchard & Co., registered copyright owner).

—: Sonata—Grade 3 (Malipiero, composer; Theodore Presser Co., registered copyright owner).

—: Sonata—Grade 4 (Malipiero, composer; Theodore Presser Co., registered copyright owner).

—: Minuetto in A (Malipiero, composer; Theodore Presser Co., registered copyright owner).

—: Sonata Per II Cembalo—Grade 4 (Malipiero, composer; Theodore Presser Co., registered copyright owner).

Casa Editrice Musical Mauceri: Wine Jug (Tedy Demey, composer; Vincent Page, arranger; Southern Music Pub. Co. Inc., registered copyright owner).

Edizioni S. A. Melodie: Woodpecker Song (Harold Adamson and E. Di Lazzaro, composers; Robbins Music Corporation, registered copyright owner).

—: Ferryboat Serenade (Adamson and Lazzaro, composers; Robbins Music Corporation, registered copyright owner).

Maria Montessori: The Secret of Childhood (Montessori, author; F. A. Stokes Co., registered copyright owner).

Alberto Moravia: Wheel of Fortune (Arthur Livingston, author; The Viking Press, Inc., registered copyright owner).

Haydee Incrocci Niccodemi: Scampolo (Ethel Preston and Elsie Schobinger, authors).

Amolita Durbe Niccodemi: Scampolo (Schobinger and Preston, authors).

Olga Hild Niccodemi: Scampolo (Preston and Schobinger, authors).

Giovanni Papini: Life of Christ (Papini, author; Dorothy Canfield Fisher, translator; Harcourt, Brace and Company, Inc., registered copyright owner).

Ottorino Pomilio: Airplane Design and Construction (Pomilio, author; McGraw-Hill Book Co. Inc., registered copyright owner).

Luigi Salvatorelli & Guio Einaudi Editore: A Concise History of Italy (Salvatorelli, author; Oxford University Press, N. Y. Inc., registered copyright owner).

Tito Schipa: El Gaucho (Schipa, author and composer; Forster Music Publisher, Inc., registered copyright owner).

—: La Farfaletta (The Butterfly) (Schipa, arranger).

—: La Playera (Granados-Schipa, author & composer; Forster Music Publisher, Inc., registered copyright owner).

—: Toast to Cuba (Schipa, author and composer; Forster Music Publisher, Inc., registered copyright owner).

—: Ave Maria (Virginia K. Logan, author; Schipa, composer; Forster Music Publisher, Inc., registered copyright owner).

—: Andaluza (Justin Ochoa, author; Schipa, composer; Forster Music Publisher, Inc., registered copyright owner).

—: Capricetto (Schipa, composer; Forster Music Publisher, Inc., registered copyright owner).

—: Catina (V. Trevisan, author; Schipa, composer; Forster Music Publisher, Inc., registered copyright owner).

—: Liebestraum (Schipa, adaptor; Lawrence Lipton, lyrics; Forster Music Publishers, Inc., registered copyright owner).

—: Notalada Veneziana (Trevisan, lyrics; Schipa, music; Forster Music Publisher, Inc., registered copyright owner).

—: Prece (Schipa, lyrics and music; Forster Music Publisher, Inc., registered copyright owner).

—: Remembrance (Schipa, music; Forster Music Publisher, Inc., registered copyright owner).

Societa Anonima Musicale "Bixio": Serenade in the Night (G. A. Bixio and B. Cheru-

binl, composers; Jimmy Kennedy, lyrics and adaptor).

## GERMANY

Alrobi Musikverlag: Ich Denk Au Madi Die Ganze Nacht (Walter Jurmann, music; Alrobi Musikverlag, registered copyright owner).

—: Ohne Dich Kann Ich Nicht Leben Herrliches Madchen (Ernest Neubach, lyrics; Hans May, music; Alrobi Musikverlag, registered copyright owner).

—: Ich Hab Kein Auto, Ich Hab Kein Rittergut (Robert Gilbert, lyrics; May, music; Alrobi Musikverlag, registered copyright owner).

—: Mein Fraulein Kennen Sie Schon Meinen Rhythmus (Jurmann, music; Alrobi Musikverlag, registered copyright owner).

—: Menich Mach Der Nichts Draus (Jurmann, music; Alrobi Musikverlag, registered copyright owner).

—: Two Hearts in Waltz Time (Robert Stolz, music; Joe Young, lyrics; Harms, Inc., registered copyright owner).

—: The Song of Vienna (Stolz, music; Young, lyrics; Harms, Inc., registered copyright owner).

—: You Too (Stolz, music; Young, lyrics; Harms, Inc., registered copyright owner).

—: I See Vienna in Your Eyes (Stolz, music; Young, lyrics; Harms, Inc., registered copyright owner).

—: Vienna Home of Songs (May, music; Young, lyrics; Harms, Inc., registered copyright owner).

—: Though You're Not the First One (Jurmann, music; Al Dubin, lyrics; Harms, Inc., registered copyright owner).

—: Because of You (Jurmann, music; Dubin, lyrics; Harms, Inc., registered copyright owner).

—: My Fortune is Love later changed to My Sunshine is You (Stolz, music; E. Y. Harburg, lyrics; Harms, Inc., registered copyright owner).

Alrobi Musikverlag: Du Bist Mein Maskottchen Gewesen.

Ludwig Anschutz: Richter's Organic Chemistry, Vol. I (E. N. Allott, translator).

—: Richter's Organic Chemistry, Vol. II (T. W. J. Taylor, and A. F. Millidge, translators).

—: Richter's Organic Chemistry, Vol. III.

—: Richter's Organic Chemistry, Vol. IV. Deutsche Verlags Anstalt: England (Wilhelm Dibelius, author; Mary Agnes Hamilton, translator).

Apollo-Verlag, Paul Lincke, Inh.: Glow Worm (Paul Lincke, composer; Edward B. Marks Music Corporation, registered copyright owner).

—: Sleeping Beauty's Wedding (Lincke and Dave Ringle, composers; Edward B. Marks Music Corporation, registered copyright owner).

—: Wedding Dance Waltz (Lincke, composer; Edward B. Marks Music Corporation, registered copyright owner).

—: Amina (Lincke, composer; Edward B. Marks Music Corporation, registered copyright owner).

—: Luna Waltz (Lincke, composer; Edward B. Marks Music Corporation, registered copyright owner).

—: Once Upon a Time (Lincke, composer; Edward B. Marks Music Corporation, registered copyright owner).

—: Kwang Hsu (Lincke, composer; Edward B. Marks Music Corporation, registered copyright owner).

—: Night in May (Lincke and Robert A. Simon, composer; Edward B. Marks Music Corporation, registered copyright owner).

—: Siamese Patrol (Lincke, composer; Edward B. Marks Music Corporation, registered copyright owner).

—: Police Parade (Lincke, composer; Edward B. Marks Music Corporation, registered copyright owner).

—: Spring Beautiful Spring (Lincke, composer; Edward B. Marks Music Corporation, registered copyright owner).

Professor Gustav Aschaffenburg: Crime and Its Repression (Adalbert Albrecht, translator; Little, Brown & Co., registered copyright owner).

Atlantic-Musikverlag: My Old Kentucky Home (Walter Niemann, composer).

—: The Mississippi Steamboat's in Sight (Niemann, composer).

—: The Interrupted Serenade, Op. 97, No. 3 (Niemann, composer).

—: Louisiana Suite (Niemann, composer).

Verlag Friedrich Bahn: God Help Those (Fritz Kunkel, author; Ives Washburn, Inc., registered copyright owner).

Hesse & Becker: Tiergeschichten (Manfred Kyber, author; Prentice-Hall, Inc., registered copyright owner).

Anton J. Benjamin: Wedding of the Rose (Leon Jessel, composer; Leon Jessel, registered copyright owner).

Albert Bennefeld: Almentanz (T. Demey, composer; Albert Bennefeld, registered copyright owner).

—: Happy Little Chapple (Demey and S. Ward, composers; Albert Bennefeld, registered copyright owner).

Richard Birnbach: Guess It (Demey, composer).

Rudolf Binding: Der Opfergang (Rudolf Binding, author; Prentice-Hall, Inc., registered copyright owner).

Dr. Rudolf Bode: Expression Gymnastics (Bode, author; A. S. Barnes and Company, Inc., registered copyright owner).

Waldemar Bonsels: Auf Hoherer Warte (Frederic E. Coenen, editor; Frederic E. Coenen, registered copyright owner).

Berliner Boheme Verlag: (Edition Karl Brüll) Im Prater blühn wieder die Baume (Kurt Robitschek and Robert Stolz, composers; Edward B. Marks Music Corporation, registered copyright owner).

Wiener Boheme Verlag: Let's Dim the Light and Dance the Tango (L. Wolfe Gilbert, Benno Vigny and Willy Engel-Berger, composers; Edward B. Marks Music Corporation, registered copyright owner).

—: The Maiden from the Reeperbahn (Gilbert, Vigny and Engel-Berger, composers; Edward B. Marks Music Corporation, registered copyright owner).

—: Ninon (Bronislaw Kaper, Walter Jurman, Fritz Rotter and Ernst Marischka, composers; Robbins Music Corporation, registered copyright owner).

Ed. Bote & G. Bock: In Slumber (Gaston Bernheimer, composer).

—: Miracle of the Roses (Leon Jessel, composer).

—: Christmas Night (Hugo Wolf, composer).

—: Romance (Alfred Grunfeld, composer).

—: In the Quiet of the Woods (Max Reger, composer).

Breitkoff & Hartel: Symphony No. 1 E min (Jean Sibelius, composer; Percy Goetschius, editor; Oliver Ditson Co., registered copyright owner).

Carl Burckhardt: Richillieu (Burckhardt, author).

Richard Burmeister: A Mighty Fortress is our God (Burmeister, composer; Oliver Ditson Co., registered copyright owner).

Count Egon Caesar Corti: The Rise of the House of Rothschild (Corti, author; Brian and Beatrix Lunn, translators).

Aug. Cranz, g. m. b. h.: Six Organ Pieces Opus 37 (C. Adolfo Bossi, composer).

—: Nadia (Paul Wachs, composer).

Adolf Deissman: The New Testament in the Light of Modern Research (Harper & Brothers, registered copyright owner).

George Dibbern: Quest (Dibbern, author; W. W. Norton and Company, Inc., registered copyright owner).

Martin Dibelius: Sermons On the Mount (Charles Scribner's Sons, registered copyright owner).

K. C. H. Drechsel: Grimm: Die Sieben Reisen Sinbads (Drechsel, author; K. C. H. Drechsel, registered copyright owner).

Harry Eisenbrown: Der Schatz im Morgenbrotstal (Eisenbrown, author; D. C. Heath and Company, registered copyright owner).

Verlag Ferdinand Enke: Organic Reagents Used in Quantitative Inorganic Analysis (Stewart Holmes, translator; Elsevier Publishing Company, Inc., registered copyright owner).

—: The Materials of the Artist (Max Doerner, author; Harcourt, Brace and Company, Inc., registered copyright owner).

Felix Bloch Erben: Maytime (Rida Johnson Young and Sigmund Romberg, composers; G. Schirmer, registered copyright owner).

—: The Chocolate Soldier (Stanislaus Stange, adaptor; M. Witmark & Sons, registered copyright owner).

E. C. Ethofen Verlag, agents: The Power and Secret of the Jesuits (T. S. Flint and D. F. Tait, translators; The Viking Press Inc., registered copyright owner).

—: Rasputin: The Holy Devil (Flint and Tait, translators; The Viking Press Inc., registered copyright owner).

Evangelisch Lutherische Erlöser-Kirche: Gluckauf (Margarethe Müller and Carla Wenckebach, authors; Ginn and Company, registered copyright owner).

Ruth Feiner: Yesterday's Dreams (Feiner, author; J. B. Lippincott Co., registered copyright owner).

—: Three Cups of Coffee (Feiner, author; J. B. Lippincott Co., registered copyright owner).

—: Young Woman of Europe (Feiner, author; J. B. Lippincott Co., registered copyright owner).

S. Fischer Verlag: Josephine Wife of Napoleon (Caroline Frederick, translator; Alfred A. Knopf, Inc., registered copyright owner).

Carl Flesch: Prayer (Carl Flesch and Bruno Eisner, composers; Carl Fischer, Inc., registered copyright owner).

—: Pastorale (Flesch and Eisner, composers; Carl Fischer, Inc., registered copyright owner).

—: Iamento (Flesch and Eisner, composers; Carl Fischer, Inc., registered copyright owner).

—: Aria (Flesch and Eisner, composers; Carl Fischer, Inc., registered copyright owner).

—: Aria (Flesch and Eisner, composers; Carl Fischer, Inc., registered copyright owner).

—: Marcia (Flesch and Eisner, composers; Carl Fischer, Inc., registered copyright owner).

—: Scale System for Violin (Flesch, composer; Carl Flesch, registered copyright owner).

—: Violin Scale System for Beginners in the First Position (Louise Palmer Walker, composer; Carl Fischer, Inc., registered copyright owner).

—: The Art of Violin Playing Book I (Flesch, composer; Carl Fischer, Inc., registered copyright owner).

—: The Art of Violin Playing Book II (Flesch, composer; Carl Fischer, Inc., registered copyright owner).

—: Problems of Tone Production in Violin Playing (Flesch, composer; Carl Fischer, Inc., registered copyright owner).

Otto Forberg: Nocturnes (Meyer-Helmund, composer).

—: Walzer No. 1 (Weber, composer).

—: Dialogue (Meyer-Helmund, composer).

—: Walzer (Burmeister, composer).

—: Country Dance (Weber, composer).

—: Waltz (Hummel, composer).

—: Burmeister Album Vol. 1 (Burmeister, composer).

Egon Friedell: A Cultural History of the Modern Age in 3 volumes (Charles Francis Atkinson, translator; Alfred A. Knopf, Inc., registered copyright owner).

Arthur Goldberg: Physics of Crystals (A. F. Joffe, author).

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—: 12 line illustrations.

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—: Throwing Kisses (Jessel, composer).  
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—: The Rise of the House of Rothschild (Count Egon Caesar Corti, author; Brian and Beatrix Lunn, translators).

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The Japan Society for Promotion of Scientific Research: The Manyoshu (Seichi Takl, editor).

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—: Land of Going To Be (E. Ray Goetz and Kollo, composers; Harms, Inc., registered copyright owner).

—: Die Lindenwirten (Bruno Hardt-Warden and Michael Krausz, composers; Drei Masken Verlag, registered copyright owner).

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—: Operative Surgery, Vol. I, II, III (I. S. Ravdin, M. D., translator; J. B. Lippincott Company, registered copyright owner).

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—: Hot Pretzels (Demey, composer; Southern Music Pub. Co., registered copyright owner).

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—: Ein Kampf um Rom (Wenckebach, author; D. C. Heath and Co., registered copyright owner).

—: Josefina Wirrer, Executrix Estate of Arnoldo Sartorio: Modern Method for the Piano, in 4 vol., (Sartorio, composer; Arnoldo Sartorio, registered copyright owner).

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—: The Dissolute Years (Stucken, author; Marguerite Harrison, translator; Farrar & Rinehart, Inc., registered copyright owner).

JAPAN

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—: Kagawa Fellowship in Japan: A Grain of Wheat (Dorothy Clarke Wilson, author; Marjorie E. Draper, translator; Walter H. Baker Co., registered copyright owner).

—: Miss Michi Kawai: My Lantern.

—: Chiyono Sugimoto Kiyooka: Chiyo's Return (Kiyooka, author; Doubleday, Doran & Co. Inc., registered copyright owner).

—: Kazuo Koizumi (son of Lafcadio Hearn, author) Interpretations of Literature (Hearn, author; John Erskine, editor; Mitchell McDonald, registered copyright owner).

—: Chita, A Memory of Last Island (Setsu Koizumi, registered copyright owner).

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—: Youma (Setsu Koizumi, registered copyright owner).

—: Life and Literature (Hearn, author; Erskine, editor; Mitchell McDonald, registered copyright owner).



—: *Fantastics and Other Papers* (Hearn, author; Charles Woodward Hutson, editor; Houghton Mifflin Co., registered copyright owner).

—: *Japanese Letters of Lafcadio Hearn* (Elizabeth Bisland Wetmore, author; Elizabeth Bisland Wetmore, registered copyright owner).

—: *Father and I. Memeirs of Lafcadio Hearn* (Koizumi, author; Kazuo Koizumi, registered copyright owner).

Sumie Seo Mishima: *My Narrow Isle* (Mishima, author; The John Day Co. Inc., registered copyright owner).

Mitsubishi Economic Research Bureau: *Japanese Trade and Industry Present and Future*.

Makato Nitobe: *Bushido* (Inazo Nitobe, deceased).

Sanseido Co. Inc.: *Handbook of Japanese Art* (Noritake Tsuda, author).

Etsu Inagaki Sugimoto: *Daughter of the Samurai* (Sugimoto, author; Doubleday, Doran & Co., registered copyright owner).

—: *Daughter of the Nohful* (Sugimoto, author; Doubleday, Doran & Co., Inc., registered copyright owner).

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—: *Grandmother O Ky* (Sugimoto, author; Doubleday, Doran & Co. Inc., registered copyright owner).

Hiroshi Tamiya: *Atmung, Gaerung und die sich daran beteiligenden Enzyme von Aspergillus* (article contained in *Advances in Enzymology*, Vol. II) (Tamiya, author; Interscience Publishers, Inc., registered copyright owner).

Mrs. Koma Yonemama: *Book of Tea* (Okakura Kakuzo, deceased, author; Koma Yonemama, registered copyright owner).

#### HUNGARY

Dr. Gustav Gratz: *The Hungarian Economic Year Book* (Gratz, editor; assistant editors; E. Zempleni and H. S. Lambert).

Zsolt de Harsanyi: *The Star Gazer* (Harsanyi, author; Zsolt de Harsanyi, registered copyright owner).

—: *The Star Gazer* (Harsanyi, author; Zsolt de Harsanyi, registered copyright owner).

—: *Through a Woman's Eyes* (Harsanyi, author; Zsolt de Harsanyi, registered copyright owner).

—: *Lover of Life* (Harsanyi, author; Zsolt de Harsanyi, registered copyright owner).

Cyula Hertzka: *The Old Gypsy* (Carol Raven and Erno Kondor, composers; Edward B. Marks Music Corporation, registered copyright owner).

Athaeneum Irodolmi: *The Street of the Fishing Cat* (Jolan Földes, author; Elizabeth Jacobi, translator; Farrar & Rinehart, Inc., registered copyright owner).

Estate of Victor Jacobi (deceased): *Apple Blossoms* (William Le Baron, Fritz Kreisler and Victor Jacobi, authors; Harms, Inc., registered copyright owner).

—: *Half Moon* (Baron and Jacobi, composers; Harms, Inc., registered copyright owner).

—: *Apple Blossoms* (Baron, Kreisler and Jacobi, composers; Harms, Inc., registered copyright owner).

Royal Hungarian Ministry for Foreign Affairs: *Papers and Documents Relating to the Foreign Relations of Hungary*, Vol. I (Francis Deak and Dezso Ujvary, authors).

Rozsavolgyi & Company: *Lavotta's Serenade*.

—: *Lavotta's Serenade*.

—: *I'd Be a Tree, If You'd Be My Blossom* (Balazs Arpad, composer).

—: *I'd Be a Tree, If You'd Be My Blossom* (Arpad, composer).

—: *Ruralia Hungariaa* (Ernst von Dohnanyi, composer; Carl Fischer, Inc., registered copyright owner).

[F. R. Doc. 44-17429; Filed, Nov. 14, 1944; 11:38 a. m.]

[Vesting Order 1758, Amdt.]

#### COPYRIGHT INTERESTS HELD BY CERTAIN NATIONALS OF AUSTRIA, ITALY, GERMANY, JAPAN AND HUNGARY

Whereas, pursuant to Vesting Order No. 1758 of June 30, 1943, the undersigned purported to vest certain interests under copyright in works described in Exhibit A attached to the said order;

Whereas, the undersigned prior to the execution of said order determined that the copyright interests involved were property payable or held with respect to copyrights, or rights related thereto in which interests were held by, and such property itself constituted interests held therein by, nationals of foreign countries;

Whereas, it was intended to include in the order a finding that the interests there described were property payable or held with respect to copyrights, or rights related thereto in which interests were held by and such property itself constituted interests held therein by, nationals of foreign countries, but through a clerical error such finding was not included in Vesting Order No. 1758;

Now, therefore, Vesting Order No. 1758 of June 30, 1943, is hereby amended as follows and not otherwise:

By adding, after section 3, a. 5, and as a part of section 3, the following: "is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property itself constitutes interests held therein by, nationals of foreign countries".

All other provisions of said Vesting Order No. 1758 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C. on September 10, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 44-17424; Filed, Nov. 14, 1944; 11:34 a. m.]

[Vesting Order 4030]

#### COPYRIGHT INTERESTS HELD BY CERTAIN FRENCH NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each person whose name, nationality, and last known address were established, is listed at the top of each page of Exhibit A attached hereto and by reference made a part hereof, if an individual is a resident or citizen of, or if a business organization is organized under the laws of, and holds the nationality designated after the name of such person;

2. Finding that the persons listed in said Exhibit A jointly or severally own or control the property hereinafter described in subparagraph 3;

3. Determining that the property described as follows:

a. All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States

and of the several States thereof, of each person whose name, nationality, and last known address, where established, is designated at the top of each page of said Exhibit A in, to and under the following:

1. Every copyright, claim of copyright and right to copyright, or rights related thereto, in each and all of the works described in each page of said Exhibit A under the name of such person;

2. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

3. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

4. All rights of reversion or reversioning, if any, in any or all of the foregoing;

5. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property of, or is property payable or held with respect to copyrights or rights related thereto, in which interests are held by and such property itself constitutes interests held therein by, nationals of one or more foreign countries.

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 16, 1944.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

## SUMMARY OF EXHIBIT

Vesting Order No. 4030, executed by the Alien Property Custodian August 16, 1944, was filed with the Copyright Office on August 22, 1944, and with the Division of the Federal Register. The Vesting Order vests in the Alien Property Custodian certain copyrights, copyright applications and rights relating thereto or interests therein of the French nationals, or in or relating to the works, named in the list attached hereto, all as more particularly set forth in the said Vesting Order which is available for public inspection at the Copyright Office, Library of Congress, at the Division of the Federal Register, and at the Office of the Secretary, Office of Alien Property Custodian. The French nationals whose interests are vested and the names of the works involved (together with the author of the work or other appropriate identification in certain cases), are listed below:

André Huebsch: Vocation.  
Estate of Claude Anet (Pseud.) Jean Schopfer: Mayerling (Jean Schopfer, author; Jean Schopfer, registered copyright owner).  
—: Idyll's End (Schopfer, author; G. D. Dahse, translator; Jean Schopfer, registered copyright owner).  
Librairie Gallimard: Memoires D'Un Tri-cheur (Librairie Gallimard, registered copyright owner).  
Maurice Leblanc, Estate of: Eight Strokes of the Clock or Les Huit coups de L'Horloge (Maurice Leblanc, author).  
—: Memoirs of Arsene Lupin or La Comtesse de Cagliostro (Leblanc, author).  
—: Arsene Lupin, Super Sleuth (Leblanc, author).  
—: Arsene Lupin Intervenes (Leblanc, author).  
—: The Crystal Stopper (Leblanc, author).  
—: Confessions of Arsene Lupin (Leblanc, author).  
—: The Golden Triangle or Le Triangle d'or (Leblanc, author).  
—: Teeth of the Tiger or Les Dents du Tigre (Leblanc, author).  
—: Arsene Lupin contre Herlock Sholmes or The Blonde Lady (Leblanc, author).  
—: Arsene Lupin, Gentleman Burglar or Arsene Lupin, Gentleman Cambrioleur (Leblanc, author).  
—: The Hollow Needle (Leblanc, author).  
—: 813 (Leblanc, author).  
—: The Return of Arsene Lupin (Leblanc, author).  
—: La Frontiere (Leblanc, author).  
—: Le Chaplet Rouge (Leblanc, author).  
—: The Melamare Mystery or La Demeure Mysterieuse (Leblanc, author).  
—: La Barre-Y-Va (Leblanc, author).  
—: The Woman With Two Smiles (Leblanc, author).  
—: La Callostro se Venge (Leblanc, author).

[F. R. Doc. 44-17425; Filed, Nov. 14, 1944; 11:35 a. m.]

## [Vesting Order 4031]

## COPYRIGHT INTERESTS HELD BY CERTAIN NATIONALS OF CZECHOSLOVAKIA, BELGIUM, HOLLAND, DENMARK, NORWAY, AND POLAND

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each person whose name, nationality, and last known address were established, is listed at the top of each page of Exhibit A attached hereto and by refer-

ence made a part hereof, if an individual is a resident or citizen of, or if a business organization is organized under the laws of, and holds the nationality designated after the name of such person;

2. Finding that the persons listed in said Exhibit A jointly or severally own or control the property hereinafter described in subparagraph 3;

3. Determining that the property described as follows:

a. All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each person whose name, nationality, and last known address, where established, is designated at the top of each page of said Exhibit A in, to and under the following:

1. Every copyright, claim of copyright and right to copyright, or rights related thereto, in each and all of the works described in each page of said Exhibit A under the name of such person;

2. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

3. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

4. All rights of reversion or reversioning, if any, in any or all of the foregoing;

5. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property of, or is property payable or held with respect to copyrights or rights related thereto, in which interests are held by and such property itself constitutes interests held therein by, nationals of one or more foreign countries.

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property

Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 16, 1944.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

## SUMMARY OF EXHIBIT

Vesting Order No. 4031, executed by the Alien Property Custodian August 16, 1944, was filed with the Copyright Office on August 22, 1944, and with the Division of the Federal Register. The Vesting Order vests in the Alien Property Custodian certain copyrights, copyright applications and rights relating thereto or interests therein of the nationals, or in or relating to the works, named in the list attached hereto, all as more particularly set forth in the said Vesting Order which is available for public inspection at the Copyright Office, Library of Congress, at the Division of the Federal Register, and at the Office of the Secretary, Office of Alien Property Custodian. The foreign nationals whose interests are vested and the names of the works involved (together with the author of the work or other appropriate identification in certain cases, are listed below by country:

## CZECHOSLOVAKIA

M. Kocian-Jaraslow; Intermezzo Pittoresque (Jaroslav Kocian, composer; G. Schirmer, Inc., registered copyright owner).  
—: Chanson Printaniere (Jaroslav Kocian, composer; G. Schirmer, Inc., registered copyright owner).

## BELGIUM

Schott Freres: In Venice (Henri Van Gael, composer).

—: Rope Dance (Van Gael, composer).  
—: At Fountain (Van Gael, composer).  
—: Waltz Lullaby (Van Gael, composer).  
—: Minuet (Van Gael, composer).

Maurice Dambois: Liebestraum (Franz Liszt, composer, Dambois, arranger; G. Schirmer, Inc., registered copyright owner).

—: Canzonetta (Jean Pierre Dupont, composer; Dambois, arranger; G. Schirmer, Inc., registered copyright owner).

Louis Graveure: Super Diction (Louis Graveure, author; Bryceson Treharne, composer of musical settings; G. Schirmer, Inc., registered copyright owner).

Felix Vivier: Enchantresse for saxophone and Piano (Felix Vivier, composer; Carl Fischer, Inc., registered copyright owner).

International Music Company: High Tension.

—: Hot Bricks.

—: Hot Piano (Edward B. Marks Music Corporation, registered copyright owner).

## HOLLAND

Eelco Nicolaas van Kleffens: Juggernaut Over Holland (van Kleffens, author; Curtis Brown, Ltd., registered copyright owner).

## DENMARK

Mrs. Marie Tang Kristensen: Lord Peter's Stableboy (Percy A. Grainger, arranger; Percy Aldridge Grainger, registered copyright owner).

—: The Nightingale and the Two Sisters (Percy A. Grainger, arranger; Percy Aldridge Grainger, registered copyright owner).

Miss Karen Kellerman: In A Nutshell (Percy A. Grainger, arranger; Percy A. Grainger, registered copyright owner).

—: Green Bushes (Grainger, arranger).  
—: Arrival Platform Humlet (Grainger, arranger; Percy A. Grainger, registered copyright owner).

David Grunbaum: Fannie by Gaslight (Michael Sadleir, author).

—: The Just and the Unjust (James Gould Cozzens, author).

—: Cross Green (Marjorie Kinnan Rawlings, author).

—: They Were Expendable (William L. White, author).

J. Anker Larsen: With Open Door (Larsen and Erwin von Galsberg, authors; The Macmillan Co., registered copyright owner).

## NORWAY

Olaf Norli Bokhandel Forlag: The People of Juvik in 6 vols. (Arthur G. Chater, translator; Alfred A. Knopf, Inc., registered copyright owner).

Maria Hamsun: Norwegian Farm (Hamsun, author; J. B. Lippincott Co., registered copyright owner).

—: Norwegian Family: (Hamsun, author; J. B. Lippincott Co., registered copyright owner).

## POLAND

Arkady Fiedler: Kosgiusko Squadron (Fiedler, author; Roy Publishers, registered copyright owner).

Estate of J. J. Paderewski: Minuet.

[F. R. Doc. 44-17426; Filed, Nov. 14, 1944; 11:35 a. m.]

[Vesting Order 4032]

## COPYRIGHT INTERESTS HELD BY CERTAIN NATIONALS OF ITALY, GERMANY, AND HUNGARY

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each person whose name, nationality, and last known address where established, is listed at the top of each page of Exhibit A attached hereto and by reference made a part hereof, if an individual is a resident or citizen of, or if a business organization is organized under the laws of, and holds the nationality designated after the name of such person;

2. Finding that the persons listed in said Exhibit A jointly or severally own or control the property hereinafter described in subparagraph 3;

3. Determining that the property described as follows:

a. All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each person whose name, nationality, and last known address, where established, is designated at the top of each page of said Exhibit A in, to and under the following:

1. Every copyright, claim of copyright and right to copyright, or rights related thereto, in each and all of the works described in each page of said Exhibit A under the name of such person;

2. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

3. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

4. All rights of reversion or revesting, if any, in any or all of the foregoing;

5. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property of, or is property payable or held with respect to copyrights or rights related thereto, in which interests are held by and such property itself constitutes interests held therein by, nationals of one or more foreign countries.

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 16, 1944.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

## SUMMARY OF EXHIBIT A

Vesting Order No. 4032, executed by the Alien Property Custodian August 16, 1944, was filed with the Copyright Office on August 22, 1944, and with the Division of the Federal Register. The Vesting Order vests in the Alien Property Custodian certain copyrights, copyright applications and rights relating thereto or interests therein of the persons, or in or relating to the works, named in the list attached hereto, all as more particularly set forth in the said Vesting Order which is available for public inspection at the Copyright Office, Library of Congress, at the Division of the Federal Register, and at the Office of the Secretary, Office of Alien Property Custodian. The foreign nationals whose interests are vested and the names of the works involved (together with the author of the

work or other appropriate identification in certain cases), are listed below by country:

## ITALY

Tito Schipa: Somebody's Smile (Schipa and Jack Meskill, composers; Edward B. Marks Music Corporation, registered copyright owner).

Estate of Pietro Florida: The Ogre and the Child (Florida, composer, G. Schirmer, Inc., registered copyright owner).

—: On Winged Horses (Florida, composer; G. Schirmer, Inc., registered copyright owner).

—: Little Sarabande (Florida, composer; G. Schirmer, Inc., registered copyright owner).

Maria Montessori: Advanced Montessori Method (Montessori, author; Frederick A. Stokes Co., registered copyright owner).

—: Pedagogical Anthropology (Montessori author; Frederick A. Stokes Co., registered copyright owner).

—: Montessori Method (Montessori, author; Frederick A. Stokes Co., registered copyright owner).

## GERMANY

Estate of Eugenio Pirani: High School of Piano Playing (Pirani, composer; G. Schirmer, Inc., registered copyright owner).

—: Sylphide (Pirani, composer; G. Schirmer, Inc., registered copyright owner).

—: Cap and Bells (Pirani, composer; G. Schirmer, Inc., registered copyright owner).

—: Spinning Wheel (From High School of Piano Playing) (Pirani, composer; G. Schirmer, Inc., registered copyright owner).

—: Warbling Birds (From High School of Piano Playing) (Pirani, composer; G. Schirmer, Inc., registered copyright owner).

—: Harp-Chords (From High School of Piano Playing) (Pirani, composer; G. Schirmer, Inc., registered copyright owner).

—: Fughetta (From High School of Piano Playing) (Pirani, composer; G. Schirmer, Inc., registered copyright owner).

Yoichi Hiraoka: Xylophone Album (Hiraoka and B. B. Lipset, composers; Edward B. Marks Music Corporation, registered copyright owner).

Etsu Inagaki Sugimoto: With Tara and Hana in Japan (Sugimoto co author with Nancy Austen; Frederick A. Stokes Co., registered copyright owner).

Chiyono Sugimoto Kiyooka: Japanese Holiday Picture Tales (Chiyono Sugimoto Kiyooka, author).

—: Picture Tales from the Japanese.

## HUNGARY

Ysolt Harsanyi: Immortal Franz (Harsanyi, author; Ysolt Harsanyi, registered copyright owner).

[F. R. Doc. 44-17427; Filed, Nov. 14, 1944; 11:36 a. m.]

[Vesting Order 4034]

## COPYRIGHT INTERESTS HELD BY CERTAIN NATIONALS OF NORWAY, CZECHOSLOVAKIA, POLAND, BELGIUM, HOLLAND AND DENMARK

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each person whose name, nationality, and last known address where established, is listed at the top of each page of Exhibit A attached hereto and by reference made a part hereof, if an individual is a resident or citizen of, or if a business organization is organized under the laws of, and holds the nationality designated after the name of such person;

2. Finding that the persons listed in said Exhibit A jointly or severally own or control the property hereinafter described in subparagraph 3;

3. Determining that the property described as follows:

a. All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each person whose name, nationality, and last known address, where established, is designated at the top of each page of said Exhibit A in, to and under the following:

1. Every copyright, claim of copyright and right to copyright, or rights related thereto, in each and all of the works described in each page of said Exhibit A under the name of such person;

2. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

3. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

4. All rights of reversion or reversioning, if any, in any or all of the foregoing;

5. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property of, or is property payable or held with respect to copyrights or rights related thereto, in which interests are held by and such property itself constitutes interests held therein by, nationals of one or more foreign countries.

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admis-

sion of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on August 16, 1944.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

#### SUMMARY OF EXHIBIT

Vesting Order No. 4034, executed by the Alien Property Custodian August 16, 1944, was filed with the Copyright Office on August 22, 1944 and with the Division of the Federal Register. The Vesting Order vests in the Alien Property Custodian certain copyrights, copyright applications and rights relating thereto or interests therein of the nationals, or in or relating to the works, named in the list attached hereto, all as more particularly set forth in the said Vesting Order which is available for public inspection at the Copyright Office, Library of Congress, at the Division of the Federal Register, and at the Office of the Secretary, Office of Alien Property Custodian. The foreign nationals whose interests are vested and the names of the works involved (together with the author of the work or other appropriate identification in certain cases) are listed below by country:

#### NORWAY

Haskon Bugge Mahrt: Nella Tormenta (Bruno Ducati, translator).

Pola Gauguin: My Father Paul Gauguin (Arthur G. Chater, translator; Alfred A. Knopf, Inc., registered copyright owner).

Herman Wildenvey: Owls To Athens (Wildenvey, author; Joseph Auslander, translator; Dodd, Mead and Co., Inc., registered copyright owner).

Messrs. Gyldendal Norsk Forlag: Flukten (Arthur Omre, author; D. Appleton-Century Co., registered copyright owner).

Johan Bojer: By Day and By Night (Bojer, author; D. Appleton-Century Co., registered copyright owner).

—: The Emigrants (Bojer, author; Johan Bojer, registered copyright owner).

—: The Everlasting Struggle (Bojer, author; Johan Bojer, registered copyright owner).

—: The Last of the Vikings (Bojer, author; Johan Bojer, registered copyright owner).

—: The King's Men (Bojer, author; D. Appleton-Century Co., registered copyright owner).

—: Life (Bojer, author).

—: Great Hunger (Bojer, author).

—: The New Templé (Bojer, author; Johan Bojer, registered copyright owner).

—: A Pilgrimage (Bojer, author; Johan Bojer, registered copyright owner).

—: A Prisoner Who Sings (Bojer, author; Johan Bojer, registered copyright owner).

—: House and the Sea (Bojer, author; Johan Bojer, registered copyright owner).

Roald Amundsen: My Life as an Explorer (Amundsen, author; Doubleday, Doran & Co., registered copyright owner).

Trygve Gulbranssen: Beyond Sing the Woods (Gulbranssen, author; Gulbranssen, registered copyright owner).

—: Wind from the Mountains (Gulbranssen, author; Trygve Gulbranssen, registered copyright owner).

Gabriel Scott: Karl (Scott, author; Doubleday, Doran & Co., registered copyright owner).

#### CZECHOSLOVAKIA

Estate of Ignace Paderewski: Memoirs (Charles Scribner's Sons, registered copyright owner).

Edition Continental: Souvenir de Sennering.

—: Tempo De Landler.

—: Jeux Des Papillons.

—: Valse Intermezzo Russian Echoes.

Mme. Julia Culp Ginzkey: My Favorite Songs (4 vols.) (Madam Julia Culp Ginzkey, author; Oliver Ditson Co., registered copyright owner).

Karel Capek: R. U. R. (Capek, Paul Selver and Nigel Playfair, authors).

Francis Kozik: The Great Debureau (Kozik, author; Dora Round, translator; Farrar & Rinehart, Inc., registered copyright owner).

#### POLAND

Barbara Gwiazdowski: Economics of Tool Engineering (Gwiazdowski and Lord, authors; McGraw-Hill Book Co., Inc., registered copyright owner).

Ladislau St. Rayment: The Peasants (in 4 vols.) (Michael R. Dziewicki, translator).

#### BELGIUM

Frans Masereel: Danse Macabre (Masereel, author; Pantheon Books, Inc., registered copyright owner).

Wilfred H. Grosjean: French Idiom Study (Grosjean, author; D. C. Heath and Co., registered copyright owner).

Nicholas Laoureux: A Practical Method for the Violin Part II (Supplement) English (Laoureux, composer; Theodore Baker, translator; G. Schirmer, Inc., registered copyright owner).

—: Methodo Practico Para Violin Part II (Supplement) Spanish (Laoureux, composer; J. M. Esparza, translator; G. Schirmer, Inc., registered copyright owner).

Schott Freres: Menuet des Roses (Landry, composer).

—: Chanson Venitienne (Landry, composer).

—: Impromptu Pompadour (Landry, composer).

—: L'Azalee (Henry Van Gael, composer).

Leon van der Essen: A Short History of Belgium (1920) (van der Essen, author; The University of Chicago, registered copyright owner).

Schott Freres: Impromptu Serenade (Theodore Lack, composer).

—: Valse Serenade (Rene Demaret, composer).

—: Petite Romance Expressive (M. P. Marsick, composer).

—: La Gracieuse (Lack, composer).

—: Le Bouton D'Or (Henry Van Gael, composer).

—: Le Camelia (Van Gael, composer).

—: Hear Me (Van Gael, composer).

—: Valse Serenade (De Maret, composer).

#### HOLLAND

G. E. Van Gils: The creaming of rubber latex (article contained in Advances in Colloid Science, vol. I (Van Gils and G. M. Kraay, authors; Interscience Publishers, Inc., registered copyright owner).

W. P. Van Stockum & Zoon: The Journal of Unified Science (1940) (Otto Von Neurath, editor).

—: Kleines Lehrbuch des Positivismus, etc., (1939) (Richard von Mises, author).

Jan Huizinga: In the Shadow of Tomorrow (Huizinga, author; W. W. Norton and Co., Inc., registered copyright owner).

Martinus Nijhoff: General Psychology from the Personalistic Standpoint (William Stern, Dr. Howard Davis Spoerl and Nijhoff, authors; The Macmillan Co., registered copyright owner).

H. J. Vonk: Die Verdauung bei den niederen Vertebraten (Vonk, author; Interscience Publishers, Inc., registered copyright owner).

Jo van Ammers-Kuller: The House of Tav-  
elincck (van Ammers-Kuller, author; A. v. A.  
Duyum and Edmund Gilligan, translators;  
Farrar & Rinehart, Inc., registered copyright  
owner).

C. V. Allert de Lange: Accent on Power  
(Valeriu Marcu, author; Richard Winston,  
translator; Farrar & Rinehart, Inc., reg-  
istered copyright owner).

—: Age of Fish (Odon Von Horvath, au-  
thor; Dial Press, Inc., registered copyright  
owner).

—: Child of Our Time (von Horvath,  
author; Dial Press, Inc., registered copyright  
owner).

Mrs. Johanna Strothotte: Tunes From  
Everywhere (The Willis Music Company, reg-  
istered copyright owner).

N. V. Boekhandel en Uitgevers Maatschap-  
pij: Physical Chemistry of High Polymeric  
Systems (K. Sinclair, translator; Interscience  
Publishers, Inc., registered copyright  
owner).

—: Natural & Synthetic High Polymers  
(L. E. R. Picken, translator; Interscience  
Publishers, Inc., registered copyright owner).

Messrs. A. W. Sijthoffs: A Short History of  
Music (Rhoda Hellman, author; Alfred A.  
Knopf, Inc., registered copyright owner).

DENMARK

Peter Tutein: The Sealers (Tutein, author;  
G. P. Putnam's Sons, registered copyright  
owner).

Gyldendalske Boghandel: Growth of the  
Soil (Knut Hamsun, author).

—: Hunger (George Egerton, translator;  
Alfred A. Knopf, Inc., registered copyright  
owner).

—: Growth of the Soil (W. W. Worster,  
author; Alfred A. Knopf, Inc., registered  
copyright owner).

Herman Sandby: Necken (Sandby, com-  
poser; Carl Fischer, Inc., registered copyright  
owner).

—: Song of India (Sandby, composer;  
Carl Fischer, Inc., registered copyright  
owner).

—: Norwegian Spring Dance (Sandby,  
composer; Carl Fischer, Inc., registered copy-  
right owner).

—: The Riding Messenger (Sandby, com-  
poser; Carl Fischer, Inc., registered copyright  
owner).

—: Song of the Dale (Sandby, composer;  
Carl Fischer, Inc., registered copyright  
owner).

—: Nocturne (Sandby, composer; Carl  
Fischer, Inc., registered copyright owner).

—: Song of the Vermland (Sandby, com-  
poser; Carl Fischer, Inc., registered copyright  
owner).

—: Norwegian Bridal March (Sandby,  
composer; Carl Fischer, Inc., registered copy-  
right owner).

—: None but the Weary Heart (Tschal-  
kowsky, composer).

—: Songs My Mother Taught Me (Dvorak,  
composer).

—: Method for Violoncello (Sandby,  
composer; Carl Fischer, Inc., registered copy-  
right owner).

—: Second String Quartet (Sandby, com-  
poser; Carl Fischer, Inc., registered copyright  
owner).

August Krogh: The Anatomy and Physiolo-  
gy of Capillaries (Krogh, author; Yale Uni-  
versity Press, registered copyright owner).

G. E. C. Gads Forlag: Chinese Buddhist  
Monasteries (J. Prip-Moller, author).

Baroness Tania Blixen: Seven Gothic Tales  
(Blixen, author; Harrison Smith and Robert  
Haas Inc., registered copyright owner).

—: Out of Africa (Blixen, author; Ran-  
dom House, Inc., registered copyright owner).

—: Winter's Tales (Blixen, author).

David Grunbaum: Fannie by Gaslight  
(Michael Sadleir, author).

—: The Just & the Unjust (James Gould  
Cozzens, author).

—: Cross Green (Marjorie Kinnan Rawl-  
ings, author).

—: They Were Expendable (William L.  
White, author).

Hakon Mielche: Journey to the World's End  
(Mielche, author; Doubleday, Doran & Co.,  
registered copyright owner).

J. Anker Larsen: With Open Door (Larsen  
and Erwin von Galsberg, authors; The Mac-  
millan Co., registered copyright owner).

Wilhelm Hansen: Valse Chevaleresque (J.  
Sibelius, composer).

—: Valse Finlandaise (Selim Palmgren,  
composer).

—: Slumber Song (Palmgren, composer).

—: Humorous Dance II (Palmgren, com-  
poser).

—: The Spruce (Sibelius, composer).

—: Six Lyric Pieces (Palmgren, com-  
poser).

—: Valse Mignonne (Palmgren, com-  
poser).

—: For Little Folks (Fuchs, composer).

—: Serenade (Opus 51 #2) (Palmgren,  
composer).

—: Second Romance (Sibelius, com-  
poser).

—: Valse Lyrique (Sibelius, composer).

—: Etude (Opus 76 #2) (Sibelius, com-  
poser).

—: Triumphal Entry (Halverson, com-  
poser).

—: The Swan (Palmgren, composer).

—: Mother's Song (Palmgren, com-  
poser).

—: Isle of Shadows (Palmgren, com-  
poser).

—: Technical Piano Pieces (Schytte,  
composer).

—: 10 Easy Transcriptions (Schytte,  
composer).

—: Forty Pedal Studies (Schytte, com-  
poser).

—: Major and Minor (Books 1-4)  
(Schytte, composer).

—: 25 Easy Studies (Schytte, composer).

—: Middle Grade (Bks. 1, 2, and 3)  
(Schytte, composer).

—: Preparatory Grade (Bk. 1 and 2)  
(Schytte, composer).

—: 6 Cello Pieces (Holleander, com-  
poser).

—: Prelude (Palmgren, composer).

—: Sketches from Finland (Palmgren,  
composer).

—: Melody (Schytte, composer).

—: Joys of Youth (Schytte, composer).

—: 6 Violin Pieces (Holleander, com-  
poser).

—: Romance (Kreisler, composer).

—: Bravura (Schytte, composer).

—: Lyric Quality (Schytte, composer).

—: Energy (Schytte, composer).

—: Elegance (Schytte, composer).

—: Festival March (Holleander, com-  
poser).

—: Old Melody (Holleander, composer).

—: Alternation (Schytte, composer).

—: Octaves (Schytte, composer).

—: Shakes and Tremelo (Schytte, com-  
poser).

—: Broken Chords (Schytte, composer).

—: Chord Grasps (Schytte, composer).

—: Studies for Left Hand (Schytte, com-  
poser).

—: Legato and Staccato (Schytte, com-  
poser).

—: Rhythmic and Polyrhythmic Studies  
(Schytte, composer).

—: Tables and Fables (Schytte, com-  
poser).

—: Easy and Characteristic (Schytte,  
composer).

—: Musical Pictures (Schytte, composer).

—: Pedal Studies (Schytte, composer).

—: Carl Czerny's Studies Selected and  
Arranged by Heinrich Germer Vol. 1: (Carl  
Czerny, Heinrich Germer and H. W. Nicholl,  
composers; Edward Schuberth & Co., Inc.,  
registered copyright owner).

Trestrenes Films Kontor: Folket Pa Hog-  
bogarden.

—: En Fuldenndt Gentlemen.

—: Livet Paa Hegnsgaard.

—: Sol over Danmark.

[F. R. Doc. 44-17428; Filed, Nov. 14, 1944;  
11:36 a. m.]

OFFICE OF DEFENSE TRANSPORTA-  
TION.

[Supp. Order ODT 3, Rev. 400]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN KNOX-  
VILLE AND NASHVILLE, TENN.

Upon consideration of a plan for joint  
action filed with the Office of Defense  
Transportation by the persons named in  
Appendix 1 hereof to facilitate compli-  
ance with the requirements and purposes  
of General Order ODT 3, Revised, as  
amended, (7 F.R. 5445, 6689, 7694; 8 F.R.  
4660, 14582; 9 F.R. 2793, 3264, 3357, 6778)  
a copy of which plan is attached hereto  
as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordi-  
nation of operations is necessary in  
order to assure maximum utilization of  
the facilities, services, and equipment,  
and to conserve and providently utilize  
vital equipment, materials, and supplies,  
of the carriers, and to provide for the  
prompt and continuous movement of nec-  
essary traffic, the attainment of which  
purposes is essential to the successful  
prosecution of the war, *It is hereby or-  
dered*, That:

1. The plan for joint action above re-  
ferred to is hereby approved and the  
carriers are directed to put the plan in  
operation forthwith, subject to the fol-  
lowing provisions, which shall supersede  
any provisions of such plan that are in  
conflict therewith.

2. Each of the carriers forthwith shall  
file a copy of this order with the appro-  
priate regulatory body or bodies having  
jurisdiction over any operations affected  
by this order, and likewise shall file, and  
publish in accordance with law, and con-  
tinue in effect until further order, tariffs  
or supplements to filed tariffs, setting  
forth any changes in rates, charges, op-  
erations, rules, regulations, and practices  
of the carrier which may be necessary  
to accord with the provisions of this  
order and of such plan; and forthwith  
shall apply to such regulatory body or  
bodies for special permission for such  
tariffs or supplements to become effective  
on the shortest notice lawfully permis-  
sible, but not prior to the effective date  
of this order.

3. Whenever transportation service is  
performed by one carrier in lieu of serv-  
ice by another carrier, by reason of a  
diversion, exchange, pooling, or similar  
act made or performed pursuant to the  
plan for joint action hereby approved,  
the rates, charges, rules, and regulations  
governing such service shall be those  
that would have applied except for such  
diversion, exchange, pooling, or other  
act.

<sup>1</sup> Filed as part of the original document.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective November 20, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 16th day of November 1944.

J. M. JOHNSON,  
Director,  
Office of Defense Transportation.

APPENDIX 1

Associated Transport, Inc., New York City, N. Y.

Hoover Motor Express Co., Inc., Nashville, Tenn.

The Mason & Dixon Lines, Inc., Kingsport, Tenn.

Andrew B. Crichton, R. M. Crichton, C. N. Crichton, M. E. Crichton, R. B. Crichton, and A. B. Crichton, Jr., doing business as Super Service Motor Freight Co., Nashville, Tenn.

The Silver Fleet Motor Express, Inc., Louisville, Ky.

[F. R. Doc. 44-17513; Filed, Nov. 15, 1944; 3:23 p. m.]

[Supp. Order ODT 3, Rev. 401]

COMMON CARRIERS

COORDINATED OPERATIONS IN NEW YORK, NEW JERSEY, PENNSYLVANIA, DELAWARE, VIRGINIA, DISTRICT OF COLUMBIA, CONNECTICUT, MASSACHUSETTS, RHODE ISLAND

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any change in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

<sup>1</sup> Filed as part of the original document.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective November 20, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 16th day of November 1944.

J. M. JOHNSON,  
Director,  
Office of Defense Transportation.

APPENDIX 1

Murray Shapiro and Alexander Shapiro, copartners, doing business as Mural Trucking Service, New York, N. Y.  
Morris Morrison, New York, N. Y.

Louis Katz and Max Lewis, copartners, doing business as Lewis Trucking, New York, N. Y.

Isidore Weidberg, Manny Waldman, Isadore Markowitz, and Eliot Westin, copartners, doing business as Weidberg Delivery Service, New York, N. Y.

[F. R. Doc. 44-17512; Filed, Nov. 15, 1944; 3:22 p. m.]

[Supp. Order ODT 3, Rev. 403]

#### COMMON CARRIERS

#### COORDINATED OPERATIONS IN NEW HAMPSHIRE

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform

any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective November 20, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 16th day of November 1944.

J. M. JOHNSON,  
Director,

Office of Defense Transportation.

#### APPENDIX 1

Robert's Express, Inc., Manchester, N. H.  
Alvin R. Holmes, doing business as Holmes Transportation Service and/or Jones Express, Worcester, Mass.

Guy O. Hollis, doing business as Southwestern New Hampshire Transportation Co., Wilton, N. H.

H. P. Welch Co., Somerville, Mass.

[F. R. Doc. 44-17511; Filed, Nov. 15, 1944; 3:22 p. m.]

#### INTERSTATE COMMERCE COMMISSION.

#### APPOINTMENT OF PERMIT AGENTS FOR COTTON SHIPMENTS

Notice of appointment of permit agents under Service Order No. 249.

Pursuant to the authority vested in me by paragraph (d) of Service Order No. 249, the following permit agent is hereby appointed to issue permits pursuant to paragraph (c) of said order:

106. O. G. Richard, Lake Charles, La.

A copy of this notice has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of these appointments shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of November 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-17523; Filed, Nov. 16, 1944; 11:02 a. m.]

#### APPOINTMENT OF PERMIT AGENTS FOR COTTON SHIPMENTS

Notice of appointment of permit agents under Service Order No. 249.

Pursuant to the authority vested in me by paragraph (d) of Service Order No. 249, the following permit agents are hereby appointed to issue permits pursuant to paragraph (c) of said order:

107. Ross J. Hough, Minden, La.

108. R. E. Eure, Houston, Miss.

109. M. P. Brown, Columbia, Miss.

90. C. W. Applewhite, Hattiesburg, Miss., in lieu of F. R. Matthews, whose appointment is hereby revoked.

A copy of this notice has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of these appointments shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of November 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-17524; Filed, Nov. 16, 1944; 11:02 a. m.]

<sup>1</sup> Filed as part of the original document.

## OFFICE OF PRICE ADMINISTRATION.

[FPR 1, Order 2 to Supp. 5]

## PACKED CITRUS PRODUCTS OF THE 1944 AND LATER PACKS

## ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with section 12 (j) of Supplement 5 to Food Products Regulation No. 1, it is ordered:

(a) That sales and deliveries of the packed citrus products covered by Supplement 5 to Food Products Regulation No. 1 of the 1945 pack may be made by processors to government procurement agencies, subject to an agreement between the buyer and seller in each case, that the price shall be determined pursuant to action taken by the Office of Price Administration after delivery.

In any such sale the processor shall not invoice the goods at a price higher than the maximum price in effect at the time of delivery, nor shall he receive payment of more than that price until new maximum prices for the 1945 pack of citrus products are established by the Office of Price Administration.

(b) This order shall be automatically revoked as to each product referred to in paragraph (a) upon the establishment by the Office of Price Administration of new maximum prices for it.

This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 17, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 16th day of November 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-17554; Filed, Nov. 16, 1944; 11:50 a. m.]

[MPR 149, Order 41]

## MECHANICAL RUBBER GOODS

## ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1315.30a of Maximum Price Regulation No. 149, it is ordered:

(a) *Applicability of this order.* Notwithstanding any other provisions of Maximum Price Regulation No. 149, this order is applicable to sales by a manufacturer of molded and extruded mechanical rubber goods of a type not listed in Appendix A, § 1315.34, for which the manufacturer had a regularly quoted price (as defined in § 1315.31 (a) (7) of this regulation) and in the manufacture of which buna-S (GR-S) has been substituted for natural rubber.

(b) *What the order does.* This order provides a method whereby a manufacturer of the items described in paragraph (a) may adjust his maximum prices without the prior approval of the Office

of Price Administration in accordance with the minimum requirements of § 1315.30a. If the situation of a manufacturer is such that he is entitled under the above section to a higher adjustment than that provided by this order, he may apply in the manner set forth in § 1315.30a.

(c) *Adjustment of maximum prices.* A manufacturer may adjust the maximum price of a commodity covered by this order to equal factory costs plus cash discount. The factory costs shall be determined in accordance with paragraph (d). The manufacturer shall then divide the total of these factory costs by a factor equal to 1.00 minus the percentage allowed for cash discount in effect on January 5, 1942, for the sale of the item whose maximum price is being adjusted.

(d) *Calculation of factory costs.* Factory costs shall consist of direct labor costs, direct materials costs, waste, factory overhead, factory warehousing and shipping, and freight out determined as set forth below:

(1) *Direct labor.* Direct labor costs shall be those labor costs which were treated as such in the manufacturer's accounting system in effect on January 5, 1942, and shall be determined by multiplying the number of hours of each type of labor required in the manufacture of the mechanical rubber good being priced by the current wage rates in effect in the manufacturer's plant, not to exceed the wage rates approved by the War Labor Board.

(2) *Direct materials.* Direct materials costs shall be those materials costs which were treated as such in the manufacturer's accounting system in effect on January 5, 1942, and shall be determined by multiplying the quantity of each type of material required in the manufacture of the mechanical rubber good by the current materials prices in effect to the manufacturers, not to exceed the applicable maximum price.

(3) *Waste.* Waste costs shall be determined by applying the same methods as were used by the manufacturer in similar production on January 5, 1942, adjusted to reflect the quantity of waste experienced in regular production runs in the production of the mechanical rubber good whose maximum price is being adjusted.

(4) *Factory overhead.* Factory overhead costs shall be those elements of costs which were treated as such in the manufacturer's accounting system in effect on January 5, 1942, and shall be calculated by the methods used by the manufacturer on that date. The rates used in this calculation shall be the overhead rates in effect in the manufacturer's plant on the day this calculation is made. *Provided:*

(i) These rates do not exceed the January 5, 1942 rates;

(ii) These rates are rates which have been determined in accordance with the manufacturer's usual method of establishing factory overhead rates, taking into account the current volume of output of the entire company and the subdivision of which the article is a part, and of the product being priced;

(iii) These rates do not include a charge for plant reconversion, selling, or general administrative expense, allocations to special war reserves or other reserves for contingencies;

(iv) These rates are based on normal production runs.

(5) *Factory warehousing and shipping.* Factory warehousing and shipping costs shall reflect current costs and shall be determined in the same manner by which the manufacturer determined them on January 5, 1942. If these costs are included in factory costs in the manufacturer's accounting system, they shall not be computed separately.

(6) *Freight out.* This item of cost is relevant only where the manufacturer seeking an adjustment sells his product on a delivered or freight prepaid or freight allowed price basis and shall reflect the current cost to the manufacturer, calculated by the method employed by the manufacturer on January 5, 1942.

(e) *Recomputation of the maximum price.* If a commodity whose maximum price is adjusted under this order is produced or supplied for a period of two months after such adjustment in price, the maximum price for such commodity shall be redetermined in accordance with paragraph (c) of this order. This redetermination of the maximum price shall be made between 60 and 75 days after the manufacturer begins production or supply of the commodity at the adjusted maximum price. The recomputed maximum price shall be reported in accordance with the provisions of paragraph (f).

(f) *Reports of adjusted maximum prices.* A manufacturer who adjusts a maximum price under this order shall mail a report to the Office of Price Administration, Washington, D. C., at least 10 days before he puts the adjusted maximum price into effect. The adjusted maximum price may not be charged for any delivery of the mechanical rubber good made before the effective date, which shall be at least 10 days after mailing the report. This report shall contain the following information:

(1) The name and description of the commodity whose maximum price is adjusted;

(2) The maximum price established under this order and the maximum price which was previously in effect;

(3) The date the adjusted maximum price is to become effective.

(g) *Corrected maximum prices.* The Office of Price Administration may at any time by order adjust a maximum price computed under this order to make it consistent with the maximum price which would be authorized under § 1315.30a of Maximum Price Regulation No. 149.

(h) *Records.* A manufacturer who adjusts a maximum price under this order shall keep available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, detailed cost estimate sheets and other data showing the calculations of the adjusted maximum price.



(i) *Miscellaneous.* All provisions of Maximum Price Regulation No. 149 not inconsistent with this order shall apply to sales covered by this order. This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 18, 1944.

NOTE: Approval of the reporting provision of this order has been waived by the Bureau of the Budget. All record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 16th day of November 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-17559; Filed, Nov. 16, 1944;  
11:54 a. m.]

[MPR 188, Order 2894]

WILSON M. BIFFLE

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a chaise longue, a basket, a coffee table, a settee, a club chair, and a table and bench set manufactured by Wilson M. Biffle, 2315 North Reese Place, Burbank, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		<i>Each</i>	<i>Each</i>
Chaise-longue.....	801	\$7.05	\$8.30
Basket.....	126	.72	.85
Coffee table.....	851	4.25	5.00
Settee.....	830	8.50	10.00
Club chair.....	825	7.22	8.50
Table and bench set.....	875	12.75	15.00

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated September 11, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during

March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article and Model No.:	Maximum price to retailers (each)
Chaise-longue, 801.....	\$8.30
Basket, 126.....	.85
Coffee table, 851.....	5.00
Settee, 830.....	10.00
Club chair, 825.....	8.50
Table and bench set, 875.....	15.00

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated September 11, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 17th day of November 1944.

Issued this 16th day of November 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-17568; Filed, Nov. 16, 1944;  
11:53 a. m.]

[MPR 188, Order 2895]

CIRCLE FURNITURE MANUFACTURERS, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188: *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of three beds manufactured by Circle Furniture Manufacturers, Inc., 36 South 4th Street, Brooklyn, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell

from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		<i>Each</i>	<i>Each</i>
Bed.....	360	\$9.30	\$10.95
Bed.....	370	9.30	10.95
Bed.....	330	8.94	10.52

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, E. O. M., and are for the articles described in the manufacturer's application dated July 20, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price set forth below, f. o. b. factory:

Article and Model No.:	Maximum price to retailers (each)
Bed, 360.....	\$10.95
Bed, 370.....	10.95
Bed, 330.....	10.52

These prices are subject to a cash discount of two percent for payment within ten days, E. O. M., and are for the articles described in the manufacturer's application dated July 20, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 17th day of November 1944.

Issued this 16th day of November 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-17567; Filed, Nov. 16, 1944;  
11:53 a. m.]

[MPR 188, Order 2905]

COLUMBIA FIRST AIDERS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of shadow boxes with cardboard frame manufactured by Columbia First Aiders, 25 South Market St., Chicago, Illinois.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer, to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Large shadow box.	12½" x 17½"	Dozen \$8.00	Dozen \$10.80
Small shadow box.	11¾" x 13¾"	6.00	8.00

These prices are f. o. b. factory, and are for the articles described in the manufacturer's application dated May 17, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article, Model Number, and Maximum Price to Retailers	Dozen
Large shadow box, 12½" x 17½"	\$10.80
Small shadow box, 11¾" x 13¾"	8.00

These prices are for the articles described in the manufacturer's application dated May 17, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 17th day of November 1944.

Issued this 16th day of November 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-17566; Filed, Nov. 16, 1944;  
11:53 a. m.]

[RMPR 436, Order 33]

CRUDE PETROLEUM FROM DESIGNATED POOLS IN ILLINOIS, INDIANA, KANSAS, NEW MEXICO, OKLAHOMA, TEXAS, AND WYOMING

ORDER REVISING MAXIMUM PRICES

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator of the Office of Price Administration by section 12 (c) of Revised Maximum Price Regulation No. 436; *It is hereby ordered:*

(a) That notwithstanding the provisions of section 12 of Revised Maximum Price Regulation No. 436, the maximum price of crude petroleum run from the receiving tank on or after November 1, 1944, and produced in any of the pools set out below to an applicant under the Stripper Well Compensatory Regulation of Defense Supplies Corporation or to any person purchasing prior to such applicant shall be the maximum price as determined under section 10 or 11 of Revised Maximum Price Regulation No. 436 and the amount of the increase designated below:

Pool, County and State	Amount of increase per 42-gallon barrel
Waggoner, Montgomery, Ill.	\$0.35
Raymond, Montgomery, Ill.	.35
Prairie, Posey, Ind.	.25
Baldwin, Douglass, Kans.	.35
De Moss, Butler, Kans.	.35
Ponce, Rice, Kans.	.25
Soeken, Rice, Kans.	.35
Iuka-Arbuckle, Pratt, Kans.	.35
All pools, Elk (East Half), Kans.	.35
Kuske, Sedgwick, Kans.	.35
Cross, Sedgwick, Kans.	.20
Bird, Barton, Kans.	.20
Leo, Eddy, N. Mex.	.25
March (Layton-Skinner), Payne, Okla.	.35
Wewoka (Hunton Lime), Seminole, Okla.	.35

Pool, County and State	Amount of increase per 42-gallon barrel
Tull, Creek, Okla.	\$0.35
Cromwell (Giltcrease), Seminole, Okla.	.25
Long, Hughes, Okla.	.25
Mobbs, Wagoner, Okla.	.35
Candy Creek South, Osage, Okla.	.35
Kasishke South, Osage, Okla.	.35
Price, Pawnee, Okla.	.35
Breene, Osage, Okla.	.35
Piggot, Osage, Okla.	.35
Blackwell, Coke, Tex.	.25
Pilot Butte (Upper Light Oil), Fremont, Wyo.	.35
Salt Creek (First, Second and Third Wall Creek, Shale), Natrona, Wyo.	.20
Greybull, Big Horn, Wyo.	.35

(b) This order may be revoked, amended or corrected at any time.

This order shall become effective as of November 1, 1944.

Issued this 16th day of November 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-17565; Filed, Nov. 16, 1944;  
11:52 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on November 11, 1944.

REGION II

Camden Order 3-F, Amendment 3, covering fresh fruits and vegetables in certain counties in New York. Filed 4:40 p. m.

Camden Order 3-F, Amendment 4, covering fresh fruits and vegetables in Camden, New York. Filed 4:40 p. m.

Camden Order 4-F, Amendment 3, covering fresh fruits and vegetables in Atlantic & Cape May counties, New Jersey. Filed 4:40 p. m.

Camden Order 4-F, Amendment 4, covering fresh fruits and vegetables in Camden, New York. Filed 4:40 p. m.

Newark Order 5-F, Amendment 5, covering fresh fruits and vegetables in certain counties in the state of New Jersey. Filed 4:36 p. m.

Buffalo Order 1-F, Amendment 31, covering fresh fruits and vegetables in certain counties in New York. Filed 4:41 p. m.

Buffalo Order 2-F, Amendment 31, covering fresh fruits and vegetables in certain counties in the state of New York. Filed 4:41 p. m.

New York Order 3-F, Amendment 20, covering fresh fruits and vegetables in certain counties in the state of New York. Filed 4:38 p. m.

New York Order 6-F, Amendment 15, covering fresh fruits and vegetables in certain counties in the state of New York. Filed 4:39 p. m.

New York Order 1-F, Amendment 32, covering fresh fruits and vegetables in the five boroughs of the city of New York. Filed 4:39 p. m.

New York Order 3-F, Amendment 19, covering fresh fruits and vegetables in certain cities in the state of New York. Filed 4:39 p. m.

New York Order 6-F, Amendment 14, covering fresh fruits and vegetables in certain counties in the state of New York. Filed 4:39 p. m.

Wilmington Order 4-F, Amendment 10, covering fresh fruits and vegetables in cer-

tain counties in the state of Delaware. Filed 4:37 p. m.

Wilmington Order 5-F, Amendment 2, covering fresh fruits and vegetables in certain counties in the state of Delaware. Filed 4:36 p. m.

REGION III

Detroit Order 1-F, Amendment 46, covering fresh fruits and vegetables in the designated counties in the state of Michigan. Filed 4:36 p. m.

Louisville Order 1-F under 3-B, Amendment 19, covering fresh fruits and vegetables in certain counties in Ky., and Indiana. Filed 4:43 p. m.

Louisville Order 2-F, under 3-B, Amendment 19, covering fresh fruits and vegetables in McCracken County, Kentucky. Filed 4:43 p. m.

Louisville Order 3-F under 3-B, Amendment 19, covering fresh fruits and vegetables in Daviess and Henderson County, Ky. Filed 4:43 p. m.

REGION IV

Memphis Order 6-F, Amendment 5, covering fresh fruits and vegetables in Memphis and Shelby, Tennessee. Filed 4:38 p. m.

Memphis Order 20, Amendment 6, covering community food prices in the Memphis area. Filed 4:38 p. m.

Nashville Order 4-W, Amendment 1, covering certain food items in Nashville, Tennessee. Filed 4:45 p. m.

Nashville Order 5-F, Amendment 38, covering fresh fruits and vegetables in certain counties in Tennessee. Filed 4:36 p. m.

Nashville Order 10-F, Amendment 12, covering fresh fruits and vegetables in certain counties in Tennessee. Filed 4:44 p. m.

Nashville Order 10-F, Amendment 13, covering fresh fruits and vegetables in certain counties in Tennessee. Filed 4:44 p. m.

Nashville Order 11-F, covering fresh fruits and vegetables in the Nashville area. Filed 4:44 p. m.

Nashville Order 12-F, covering fresh fruits and vegetables in the Nashville area. Filed 4:44 p. m.

Nashville Order 14, Amendment 2, covering poultry in the Nashville area. Filed 4:38 p. m.

Nashville Order 15, Amendment 1, covering certain food items in the Nashville area. Filed 4:45 p. m.

South Carolina Order 1-F, Amendment 19, covering fresh fruits and vegetables in Columbia, South Carolina. Filed 4:35 p. m.

Columbia Order 13, Amendment 3, covering poultry in the state of South Carolina. Filed 4:35 p. m.

Columbia Order 13, Amendment 4, covering poultry in the state of South Carolina. Filed 4:35 p. m.

REGION V

St. Louis Order 2-F, Amendment 12, covering fresh fruits and vegetables in St. Louis, Missouri. Filed 4:35 p. m.

Wichita Order 4-F, Amendment 19, covering fresh fruits and vegetables in Wichita, Kansas. Filed 4:35 p. m.

REGION VI

Sioux City Order 2-F, Amendment 43, covering fresh fruits and vegetables in certain cities in Iowa and Nebraska. Filed 4:38 p. m.

REGION VII

Wyoming Order 1-F, Amendment 13, covering fresh fruits and vegetables in the Cheyenne area. Filed 4:37 p. m.

Wyoming Order 2-F, Amendment 11, covering fresh fruits and vegetables in the Laramie area. Filed 4:37 p. m.

Wyoming Order 3-F, Amendment 10, covering fresh fruits and vegetables in the Casper area. Filed 4:37 p. m.

Wyoming Order 4-F, Amendment 10, covering fresh fruits and vegetables in the Sheridan area. Filed 4:37 p. m.

Wyoming Order 5-F, Amendment 9, covering fresh fruits and vegetables in the Rock Springs area. Filed 4:37 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 44-17453; Filed, Nov. 14, 1944; 3:23 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on November 14, 1944.

REGION IV

Nashville Order 14, Amendment 1, covering certain food items in Nashville, Tenn., filed 9:57 a. m.

Nashville Order 14, Amendment 3, covering certain food items in Nashville, Tenn., filed 9:58 a. m.

Nashville Order 15, Amendment 2, covering poultry in Nashville, Tenn., filed 9:57 a. m.

Nashville Order 15, Amendment 3, covering certain food items in Nashville, Tenn., filed 9:57 a. m.

REGION VI

Des Moines Order 1-F, Amendment 42, covering fresh fruits and vegetables in the Des Moines area, filed 9:56 a. m.

La Crosse Order 1-F, Amendment 42, covering fresh fruits and vegetables in certain cities in Minnesota, filed 9:56 a. m.

La Crosse Order 3-F, Amendment 38, covering fresh fruits and vegetables in Eau Claire and Chippewa Falls, Wis., filed 9:56 a. m.

La Crosse Order 5-F, Amendment 37, covering fresh fruits and vegetables in Rochester, Minn., filed 9:56 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 44-17556; Filed, Nov. 16, 1944; 11:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 811-28]

BURCO, INC.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of November, A. D. 1944.

The Investment Company of America upon behalf of Burco, Inc., a registered investment company, having filed an application pursuant to the provisions of section 8 (f) of the Investment Company Act of 1940 for an order declaring that Burco, Inc., has ceased to be an investment company within the meaning of the said act;

It is ordered, Pursuant to section 40 (a) of said act that a hearing be held on November 22, 1944 at 10:00 a. m., eastern war time, in Room 318, Securi-

ties and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania, to determine whether the Commission shall declare by order, pursuant to section 8 (f) of said act that Burco, Inc., has ceased to be an investment company; and

It is further ordered, That Henry C. Lank, Esquire, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to The Investment Company of America and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 44-17527; Filed, Nov. 16, 1944; 11:04 a. m.]

[File No. 70-942]

CENTRAL NEW YORK POWER CORP.

SUPPLEMENTAL ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 15th day of November 1944.

Central New York Power Corporation, a public utility subsidiary of Niagara Hudson Power Corporation, in turn a subsidiary of The United Corporation, a registered holding company, having filed an application and amendments thereto pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, for exemption from the provisions of sections 6 (a) and 7 of the act of the issue and sale of \$48,000,000 principal amount of General Mortgage Bonds, Series due October 1, 1974, to be sold in accordance with Rule U-50 promulgated under the act; and

The Commission by its order of November 6, 1944, having granted said application as amended, subject to the conditions that (1) the applicant obtain from the Public Service Commission of the State of New York a final order approving the issuance and sale of the bonds, and (2) that the proposed issue and sale of bonds should not be consummated until the result of competitive bidding, pursuant to Rule U-50, shall have been made a matter of record in this proceeding and a further order entered in the light of the record so completed, and having reserved jurisdiction over the price to be paid to the company for such bonds, the interest rate thereof, the redemption prices thereof, the underwriters' spread and its allocation and the legal fees to be incurred by the company and the successful bidders; and

[File No. 54-96]

## MISSISSIPPI RIVER POWER CO., ET AL.

## MEMORANDUM OPINION AND INTERIM ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa.; on the 14th day of November 1944.

In the matter of Mississippi River Power Company, Union Electric Company of Missouri, Iowa Union Electric Company, and Union Electric Company of Illinois; File No. 54-96.

Mississippi River Power Company, a subsidiary of Union Electric Company of Missouri, a registered holding company, has filed an amended plan pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for the purpose of simplifying the structure of the holding company system of Union Electric Company of Missouri by combining the physical properties of Mississippi River Power Company and Iowa Union Electric Company, a subsidiary of Union Electric Company of Missouri, with the properties of Union Electric Company of Illinois, also a subsidiary of Union Electric Company of Missouri, the elimination of Mississippi River Power Company and Iowa Union Electric Company as separate corporate entities, and certain other action in connection with the foregoing including the creation by Mississippi River Power Company of additional capital surplus prior to its elimination. After appropriate notice hearings were held on the proposed plan, as amended.

Mississippi River Power Company has now requested that the Commission separately consider and approve the transactions of the amended plan relating to the proposed reduction by Mississippi River Power Company of its common capital stock in the amount of \$4,800,000, by changing the par value of its outstanding 160,000 shares of capital stock from \$100 to \$70 per share in order to create an additional \$4,800,000 of capital surplus. The proposed reduction in the par value of the common capital of Mississippi River Power Company is for the purpose of effecting compliance with orders of the Federal Power Commission and the Illinois Commerce Commission dated April 18 and 19, 1944, respectively, directing Mississippi River Power Company to classify \$21,145,116 as Electric Plant Adjustments (Account 107), \$165,087 as Other Physical Property (Account 110), and \$2,420 as Electric Plant Leased to Others (Account 100.2). The orders provided that the \$21,145,116 classified as Account 107 be disposed of immediately by the following charges:

To—	
Unamortized debt discount and expense.....	\$626,148.09
Discount on capital stock.....	1,200,000.00
Capital stock expense.....	770,870.46
Reserve for depreciation.....	1,025,928.89
Other reserves.....	29,275.73
Capital surplus.....	14,360,000.00
Earned surplus.....	3,132,892.98

The capital surplus necessary to make the above dispositions has been previ-

ously created in part by a cash contribution in the amount of \$9,560,000 by Union Electric Company of Missouri<sup>1</sup> to Mississippi River Power Company. Mississippi River Power Company now proposes to create the additional amount of \$4,800,000 needed, by the reduction in the par value of its presently outstanding 160,000 shares of common stock from \$100 to \$70 per share. The reduction of the par value of the common stock of Mississippi River Power Company was authorized at a special meeting of its stockholders held October 31, 1944.

The reduction of the par value of the common stock of Mississippi River Power Company is an alteration of the rights of security holders within the meaning of section 6 (a) (2) of the act and subject, therefore, to the applicable provisions of section 7. Under the circumstances herein, we find that it would not be detrimental to the public interest or the interest of investors or consumers to permit the proposed reduction to be made and that no adverse findings are necessary under section 7 (e). No State Commission having advised us of the failure of Mississippi River Power Company to comply with any State law, we find that the requirements of section 7 (g) are satisfied.

It appearing to the Commission that it is appropriate in the public interest to grant the request of Mississippi River Power Company for separate approval of the transactions of the amended plan relating to the proposed reduction of its common capital stock;

*It is hereby ordered,* That the amended plan of Mississippi River Power Company filed herein pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 be and the same hereby is approved in so far as said amended plan relates to the proposed reduction of the common capital stock of Mississippi River Power Company in the amount of \$4,800,000 by changing the par value of the 160,000 outstanding common shares from \$100 to \$70 per share for the purpose of creating in part a capital surplus of \$14,360,000 against which will be charged \$14,360,000 of Electric Plant Adjustments (Account 107) as directed by orders of the Federal Power Commission and the Illinois Commerce Commission dated, respectively, April 18 and 19, 1944.

*It is further ordered,* That the jurisdiction of the Commission be and the same hereby is reserved for the purpose of disposing of the remaining issues raised by the amended plan; and

*It is further ordered,* That until the approval or disapproval of the amended plan by this Commission, Mississippi

<sup>1</sup> The capital contribution by Union Electric Company of Missouri to Mississippi River Power Company for the purpose of providing such capital surplus was approved by an order of this Commission dated April 19, 1944; see *Union Electric Company of Missouri*, — SEC. —, Holding Company Act Release No. 5005.

Central New York Power Corporation having filed a further amendment to the application, setting forth the action taken to comply with Rule U-50 and showing that, pursuant to the invitation for competitive bids, bids for said bonds were submitted by three groups of underwriters headed by Halsey, Stuart & Co., Inc., Morgan Stanley & Co., and Harriman, Ripley & Co., Inc., respectively as follows:

Underwriting group	Coupon rate	Price to company (percent of principal amount) <sup>1</sup>	Annual cost to company
Halsey, Stuart & Co., Inc.	3	102.30	2,884,915
Morgan Stanley & Co.	3	101.6567	2,916,762
Harriman, Ripley & Co., Inc.	3	101.55	2,922,069

<sup>1</sup> Plus accrued interest.

The said amendment having further stated that Central New York Power Corporation has accepted the bid of Halsey, Stuart & Co., Inc. for the bonds, as set out above, and that the bonds will be offered for sale to the public at a price of 103% of the principal amount thereof plus accrued interest from October 1, 1944, a 2.85 basis; the resulting underwriters' spread totaling .70% of the principal amount of said bonds; and

The applicant having obtained final approval of the Public Service Commission of the State of New York with respect to the issuance and sale of the proposed bonds; and

The Commission having examined the amendment with respect to the legal services performed for the applicant and the underwriters in connection with the transactions, together with a statement of the legal fees in the amount of \$19,500 to be paid by the applicant to LeBoeuf & Lamb, counsel for the applicant, and legal fees in the sum of \$15,000 to be paid by the underwriters to Simpson Thatcher and Bartlett, counsel for the underwriters; and

The Commission having considered the record herein and finding no basis for imposing terms and conditions with respect to the price to be paid to the company, the interest rate on the bonds, the redemption prices thereof, or the underwriters' spread and its allocation; and

It appearing to the Commission that the legal fees incurred by the company and by the underwriters are not unreasonable and that jurisdiction over such matters should now be released;

*It is ordered,* That subject to the terms and conditions contained in Rule U-24 said application, as amended, be, and the same hereby is, granted, and that the jurisdiction heretofore reserved over the legal fees to be incurred by the company and by the underwriters be, and the same hereby is, released.

By the Commission.

ORVAL L. DuBois,  
Secretary.

River Power Company shall not declare any dividend or authorize any distribution on its common stock.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 44-17525; Filed, Nov. 16, 1944;  
11:04 a. m.]

## WAR MANPOWER COMMISSION.

### NEVADA AREA

#### EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for Nevada area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs," effective August 16, 1943 (8 F. R. 11338).

#### Sec.

1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. General.
5. Issuance of statement of availability.
6. Referral in case of under-utilization.
7. Manpower priorities and ceilings.
8. Workers who may be hired only upon referral by the United States Employment Service.
9. Hiring of workers in certain occupations in lumbering, mining, milling, smelting and refining activities.
10. Release of workers hired contrary to program.
11. Short term employment.
12. Exclusions.
13. Appeals.
14. Contents of statements of availability.
15. Retention of statement of availability or referral card by employer.
16. Solicitation of workers.
17. Hiring and discharge.
18. Continuance on job.
19. Representation.
20. General referral policies.
21. Enforcement of program.
22. Effective date.

**SECTION 1. Purpose.** The purpose of this employment stabilization program is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

- (a) The elimination of wasteful labor turnover in essential activities,
- (b) The reduction of unnecessary labor migration,
- (c) The direction of the flow of scarce labor where most needed in the war program,
- (d) The maximum utilization of manpower resources.

**SEC. 2. Definitions.** For the purpose of this employment stabilization program:

- (a) The Nevada Area is the Area comprised of the State of Nevada.
- (b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless per-

formed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Shortage occupation" means any occupation designated as a shortage occupation by the State Manpower Director.

(g) "Essential activity" means any activity included in the War Manpower Commission list of essential activities attached to this program (9 F.R. 3439).

(h) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(i) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment means his principal employment.

**SEC. 3. Control of hiring and solicitation of workers.** All hiring and solicitation of workers in, or for work in, the Nevada Area shall be conducted in accordance with this employment stabilization program.

**SEC. 4. General.** A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability issued by the United States Employment Service with respect to his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

**SEC. 5. Issuance of statement of availability.** (a) An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability by the United States Employment Service if:

- (1) He has been discharged or his employment has been otherwise terminated by his employer, or
- (2) He has been laid off for an indefinite period, or for a period of seven days or more days, or
- (3) Continuance in his employment would involve undue personal hardships, or

(4) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulations, or

(5) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

(b) An employee before terminating his employment should obtain from his employer a notice of intention to separate which he will present to the United States Employment Service at the time that a statement of availability or referral is requested.

(c) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Program, regulation, or policy, and for so long as such employer continues his non-compliance after such finding.

**SEC. 6. Referral in case of under-utilization.** If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is need in the war effort, the United States Employment Service, may upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

**SEC. 7. Manpower priorities and ceilings.** Any decision of the State Manpower Director as to manpower priorities dealing with the supply and allocation of labor and with employment ceilings placed on labor shall be binding under this program. No employer shall employ any worker in excess of the number allotted him under such manpower allowances or employment ceilings as the State Director shall from time to time establish.

**SEC. 8. Workers who may be hired only upon referral by the United States Employment Service.** Subject to such arrangements as the State Director with the approval of the Regional Director may make, a new employee who is a male worker may not be hired solely upon presentation of a statement of availability but may be hired only upon referral by the USES or through such other channels as may be authorized by the War Manpower Commission.

A new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service when:

- (a) The new employee is to be hired for work in a critical occupation or a shortage occupation, or his statement of availability indicates that his last employment was in a critical occupation, or a shortage occupation;
- (b) The new employee has not lived or worked in the locality of the new em-

ployment throughout the preceding 30-day period;

(c) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided*, That such an individual may be hired for non-agricultural work for a period not to exceed six weeks without referral or presentation of a statement of availability.

**Sec. 9. Hiring of workers in certain occupations in lumbering, mining, milling, smelting, and refining activities.**

(a) A statement of availability issued to a worker whose last employment is or was in an occupation specified in Appendix D<sup>1</sup> (occupations in activities in which manpower shortages threaten critically needed production) shall indicate that the worker has been so employed.

(b) A new employee whose statement of availability indicates that his last employment is or was in an occupation specified in Appendix D<sup>1</sup> may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with the United States Employment Service.

**Sec. 10. Release of workers hired contrary to program.** Any employer shall, upon written request of the United States Employment Service, release from employment any worker when it has hired contrary to the provisions of this program.

**Sec. 11. Short term employment.** In order to facilitate the employment of individuals during vacation, probationary, off-season, or other short periods, the United States Employment Service may with the worker's consent issue statements of availability or referral cards containing limitations as to the length of time for which the worker is available for employment. At the expiration of such time, or sooner if requested by the United States Employment Service, the hiring employer shall promptly release the worker for return to his customary employment.

**Sec. 12. Exclusion.** No provision of the employment stabilization program shall be applicable to;

(a) The hiring of a new employee for agricultural employment;

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purpose of the program, unless the employee is customarily engaged in work in less than seven days' duration;

(c) The hiring of an employee in any Territory or possession of the United States, except Alaska and Hawaii;

(d) The hiring by a foreign, State, county, or municipal government, or their political subdivisions or their

agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, State, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program;

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service;

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

**Sec. 13. Appeals.** Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under the employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

**Sec. 14. Contents of statements of availability.** A statement of availability issued to an individual pursuant to the program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

**Sec. 15. Retention of statement of availability or referral card by employer.** Each employer, upon hiring a worker upon the presentation of a statement of availability or referral card, shall retain and file such statement and shall make such statement or referral card available for inspection on request of the War Manpower Commission.

**Sec. 16. Solicitation of workers.** No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under the employment stabilization program, except in a manner consistent with such restrictions.

**Sec. 17. Hiring and discharge.** (a) The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

(b) Whenever the War Manpower Commission determines, after notice, hearing and final decision, that an employer engaged in an essential or locally needed activity is failing to obtain full utilization of his work force because of his practice of discharge or laying off his workers arbitrarily and without good cause, the employer shall be considered in violation of this program for the purposes of section 5 (c) hereof, and the United States Employment Service shall issue a statement of availability to any

of his workers and shall refer no worker to the employer until the War Manpower Commission receives satisfactory assurance that such discharge or lay-off practices have been discontinued.

**Sec. 18. Continuance on job.** Pending the issuance of a statement of availability or referral card to a worker, he should remain on his job.

**Sec. 19. Representation.** Nothing contained in the program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

**Sec. 20. General referral policies.** No provision in the program shall limit the authority of the United States Employment Service to make referrals in accordance with the approved policies and instructions of the War Manpower Commission.

**Sec. 21. Enforcement of program.** Violations of this program which constitute violations of War Manpower Commission Regulation No. 4 as amended August 16, 1943, issued pursuant to Executive Order 9328, are subject to the penal provisions of the act of October 2, 1942, (Pub. No. 729, 77th Cong.); the provisions of sec. 4001.10 of the regulations of the Economic Stabilization Director issued October 27, 1942, apply to all wages or salaries paid in violation of Regulation No. 4.

**Sec. 22. Effective date.** This program shall become effective as of July 1, 1944.

Dated: July 13, 1944.

WILLIAM ROYLE,  
State Director.

Approved: August 11, 1944.

F. W. HUNTER,  
Regional Director.

[F. R. Doc. 44-17550; Filed, Nov. 16, 1944;  
11:22 a. m.]

## WAR SHIPPING ADMINISTRATION.

### "AMERICA"

#### DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943, (Public Law 17, 78th Congress).

Whereas on April 28, 1944 title to the vessel *America*, Official No. 207287 (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 percentum, or just compensation therefor, that the ownership

<sup>1</sup> Not filed with the Division of the Federal Register.

of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941 (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking; *Provided however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. \* \* \*; and

Whereas no portion of just compensation for the said vessel has been paid or

deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now, therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted

provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: November 15, 1944.

E. S. LAND,  
Administrator.

[F. R. Doc. 44-17509; Filed, Nov. 15, 1944;  
2:58 p. m.]

